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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत और पेंशन मंत्रालय

(पेंशन और पेंशनभोगी कल्याण विभाग)

नई दिल्ली, 22 सितम्बर, 2009

का.आ. 2689.—राष्ट्रपति संविधान के अनुच्छेद 148 के खंड (5) और अनुच्छेद 309 के परंतुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारतीय लेखा परीक्षा और लेखा विभाग में सेवारत व्यक्तियों के संबंध में भारत के नियंत्रक-महालेखा परीक्षक से परामर्श करने के पश्चात् साधारण भविष्य निधि (केन्द्रीय सेवा) नियम, 1960 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :-

1. (1) इन नियमों का संक्षिप्त नाम साधारण भविष्य निधि (केन्द्रीय सेवा) (दूसरा संशोधन) नियम, 2009 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. साधारण भविष्य निधि (केन्द्रीय सेवा) नियम, 1960 के नियम 12 के उपनियम (1) के खंड (च) के पश्चात् निम्नलिखित खंड अंतर्स्थापित किया जाएगा, अर्थात् :-

“(छ) ऐसे स्थानों के दर्शनार्थ, जो मंजूरी प्राधिकारी का यह समाधान होने पर कि वे स्थान तीर्थयात्रा के स्थान या किसी धार्मिक प्रतिष्ठा के स्थान समझे जाते हैं, होने वाले व्यय को पूरा करने के लिए”।

[फा. सं.-13/1/2006/पी एंड पी डब्ल्यू (एफ)]

राज सिंह, निदेशक

पाद टिप्पण : साधारण भविष्य निधि (केन्द्रीय सेवा) नियम, 1960 भारत के राजपत्र में अधिसूचना सं. का.आ. 3000, तारीख 1 दिसंबर, 1960 द्वारा प्रकाशित किए गए थे और पश्चात्पूर्वी संशोधन निम्नलिखित अधिसूचना द्वारा किए गए :-

1. का.आ. सं. 2002, तारीख 2 सितंबर, 1989
2. का.आ. सं. 710, तारीख 4 मार्च, 1990
3. का.आ. सं. 3006, तारीख 17 नवंबर, 1990
4. का.आ. सं. 3272, तारीख 9 दिसंबर, 1990
5. का.आ. सं. 146, तारीख 20 मार्च, 1993
6. का.आ. सं. 377, तारीख 10 फरवरी, 1996
7. का.आ. सं. 379, तारीख 10 फरवरी, 1996
8. का.आ. सं. 3288, तारीख 23 नवंबर, 1996
9. का.आ. सं. 826, तारीख 25 अप्रैल, 1998
10. का.आ. सं. 2500, तारीख 5 दिसंबर, 1998
11. का.आ. सं. 2690, तारीख 16 सितंबर, 2003
12. का.आ. सं. 1485(अ), तारीख 30 दिसंबर, 2003
13. का.आ. सं. 3682, तारीख 15 अक्टूबर, 2005
14. का.आ. सं. 1529, तारीख 6 जून, 2009

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
(Department of Pension and Pensioners' Welfare)

New Delhi, the 22nd September, 2009

S.O. 2689.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, and after consultation with the Comptroller and Auditor-General of India in relation to persons serving in the Indian Audit and Accounts, Department, the President hereby makes the following rules further to amend the General Provident Fund (Central Services) Rules, 1960, namely :—

1. (1) These rules may be called the General Provident Fund (Central Services) (Second Amendment) Rules, 2009.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the General Provident Fund (Central Services) Rules, 1960, in rule, 12, in sub-rule (1), after clause (f), the following clause shall be inserted, namely :—
“(g) to meet the expenses for visiting places which, to the satisfaction of the sanctioning authority, are considered as places of pilgrimage or places of eminence of any religion.”

[F. No. 13/1/2006-P & PW (F)]

RAJ SINGH, Director

Foot Note : The General Provident Fund (Central Services) Rules, 1960, were published in the Gazette of India, vide Notification No. S.O. 3000, dated the 1st December, 1960 and subsequently amended vide notifications mentioned below :—

1. S.O. No. 2002 dated the 2nd September, 1989.
2. S.O. No. 710 dated the 4th March, 1990.
3. S.O. No. 3006 dated the 17th November, 1990.
4. S.O. No. 3272 dated the 9th December, 1990.
5. S.O. No. 146 dated the 20th March, 1993.
6. S.O. No. 377 dated the 10th February, 1996.
7. S.O. No. 379 dated the 10th February, 1996.
8. S.O. No. 3288 dated the 23rd November, 1996.
9. S.O. No. 826 dated the 25th April, 1998.

10. S.O. No. 2500 dated the 5th December, 1998.
11. S.O. No. 2690 dated the 16th September, 2003
12. S.O. No. 1485(E) dated the 30th December, 2003.
13. S.O. No. 3682 dated the 15th October, 2005.
14. S.O. No. 1529 dated the 6th June, 2009.

वित्त मंत्रालय

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 18 सितम्बर, 2009

का.आ. 2690.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा, घोषणा करती है कि उक्त अधिनियम की धारा 10 की उप-धारा (1) के खण्ड (ग) के उप-खण्ड (i) के उपबंध, सेंट्रल बैंक ऑफ इंडिया पर उस सीमा तक लागू नहीं होंगे, जहां तक उनका संबंध सेंट्रल बैंक ऑफ इंडिया के अध्यक्ष एवं प्रबंध निदेशक श्री एस. श्रीधर का कृषि वित्त निगम लिमिटेड के निदेशक मंडल में निदेशक के पद पर नामित होने से है।

[फा. सं. 20/16/2006-बीओ-1]

जी. बी. सिंह, उप सचिव

MINISTRY OF FINANCE

(Department of Financial Services)

New Delhi, the 18th September, 2009

S.O. 2690.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Government of India on the recommendation of the Reserve Bank of India, hereby declare that the provisions of sub-clause (i) of clause (c) of sub-section (1) of Section 10 of the said Act shall not apply to Central Bank of India in so far as it relates to the nomination of Shri S. Sridhar, Chairman & Managing Director, as director on the Board of Agricultural Finance Corporation Limited.

[F. No. 20/16/2006-BO-I]

G. B. SINGH, Dy. Secy.

(राजस्व विभाग)

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 25 सितम्बर, 2009

का.आ. 2691.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5ड के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उप-धारा (1) के खंड (3) के प्रयोजनार्थ कर निर्धारण वर्ष 2006-07 से आगे संगठन विभासना रिसर्च इंस्टीट्यूट, मुम्बई को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगे 'अन्य संस्था' की श्रेणी में अनुमोदित किया गया है, अर्थात् :-

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग सामाजिक विज्ञान में अनुसंधान के लिए किया जाएगा;
 - (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से सामाजिक विज्ञान में अनुसंधान अथवा सांख्यिकीय अनुसंधान करेगा;
 - (iii) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए इसके द्वारा प्राप्त राशि के संबंध में अलग खाता बही रखेगा। अनुसंधान करने के लिए प्रयुक्त राशि दर्शाई गई हो, उक्त अधिनियम की धारा 288 की उप-धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत् सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा;
 - (iv) अनुमोदित संगठन सामाजिक विज्ञान में अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत् सत्यापित ऐसे विवरण की प्रति प्रस्तुत करेगा।
2. केंद्र सरकार यह अनुमोदन वापस ले लेगी यदि अनुमोदित संगठन :-
- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा

- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित सामाजिक विज्ञान में अनुसंधान अथवा सांख्यिकीय अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5इ के साथ पठित उक्त अधिनियम की धारा 35 की उप-धारा (1) के खंड (iii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 71/2009/फा. सं. 203/13/2008-आ.क.नि.-II]

डा. संजय कुमार लाल, अवर सचिव

(Department of Revenue)

(Central Board of Direct Taxes)

New Delhi, the 25th September, 2009

S.O. 2691.— It is hereby notified for general information that the organization Vipassana Research Institute, Mumbai has been approved by the Central Government for the purpose of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with rules 5C and 5E of the Income-tax Rules, 1962 (said Rules) from Assessment year 2006-07 onwards in the category of 'Other Institution' partly engaged in research activities subject to the following conditions, namely :—

- (i) The sums paid to the approved organization shall be utilized for research in social sciences;
 - (ii) The approved organization shall carry out research in social science or statistical research through its faculty members or its enrolled students;
 - (iii) The approved organization shall maintain **separate books of accounts** in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research, get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act;
 - (iv) The approved organization shall maintain a **separate statement of donations** received and amounts applied for research in social sciences and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.
2. The Central Government shall withdraw the approval if the approved organization :—
- (a) fails to maintain **separate books of accounts** referred to in sub-paragraph (iii) of paragraph 1; or
 - (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
 - (c) fails to furnish its statement of the donations received and sums applied for research in social sciences or statistical research referred to in sub-paragraph (iv) of paragraph 1; or
 - (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
 - (e) ceases to conform to and comply with the provisions of clause (iii) of sub-section (1) of Section 35 of the said Act, read with rules 5C and 5E of the said Rules.

[Notification No. 71/2009 F. No. 203/13/2008/ITA/II]

Dr. SANJAY KUMAR LAL, Under Secy.

कार्यालय मुख्य आयकर आयुक्त

उदयपुर, 23 सितम्बर, 2009

संख्या-13/2009-10

(आयकर)

का.आ. 2692.—आयकर अधिनियम, 1961 (1961 की 43 वां) की धारा 10 के खण्ड (23ग) की उपखण्ड (iv) के साथ पठित आयकर नियमावली, 1962 के नियम 2ग के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, उदयपुर एतद्वारा "हेल्प सोसाइटी,

न्यू पूर्णिमा गेस्ट हाऊस, होली चौक, चारभुजा, राजसमन्द (राजस्थान)'' को कर निर्धारण वर्ष 2008-09 एवं आगे के निर्धारण वर्षों के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करते हैं, अर्थात् :-

- (i) कर निर्धारिती अपनी आय का इस्तेमाल अथवा अपनी आय का इस्तेमाल करने के लिए उनका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;
- (ii) कर निर्धारिती उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा भिन्न तरीकों से अपनी निधि (जेवर, जवाहरात, फर्नीचर आदि के रूप प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के सम्बन्ध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिये प्रासंगिक नहीं हो अथवा ऐसे कारोबार के सम्बन्ध में अलग से लेखा पुस्तिकाएं नहीं रखी जाती हो;
- (iv) कर निर्धारिती आयकर अधिनियम 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष दाखिल करेगा;
- (v) विघटन की स्थिति में इसकी अतिरिक्त राशियां और परिसम्पत्तियां समान उद्देश्यों वाले धर्मार्थ संगठन को दे दी जायेंगी;

यह अधिसूचना केवल संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ता द्वारा किसी अन्य प्राप्ति अथवा आय पर। संस्था के आय की कराधेयता अथवा अन्यथा पर, आयकर अधिनियम 1961 के उपबन्धों के अनुसार पृथक रूप से विचार किया जायेगा।

[संख्या मु.आ.आ./उदय/आ.अ.(तक)/2009-10/1459]

मुकेश भान्ति, मुख्य आयकर आयुक्त

OFFICE OF THE CHIEF COMMISSIONER OF INCOME TAX

Udaipur, the 23rd September, 2009

No. 13/2009-10

(Income-tax)

S.O. 2692.— In exercise of the powers conferred by sub-section (iv) of Clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with rule 2C of the Income-tax Rules, 1962, I, Chief Commissioner of Income-tax, Udaipur hereby notify the "Help Society, New Purnima Guest House, Holy Chowk, Charbhujia, Rajsamand (Rajasthan)" for the purpose of the said sub-clause for the assessment years 2008-09 onwards subject to the following conditions, namely.

- (i) The assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) The assessee will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous year relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) This notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business;
- (iv) The assessee will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-Tax Act, 1961;
- (v) That in the event of dissolution, its surplus and the assets will be given to a charitable organization with similar objectives;

This notification is applicable only to the recipients of income on behalf of the assessee and not to any other receipt or income of such recipients. Taxability or, otherwise of the income of the assessee would be separately considered as per the provisions of the Income-Tax Act, 1961.

[No. CCIT/UDR/ITO(Tech.)/2009-10/1459]

MUKESH BHANTI, Chief Commissioner of Income-tax

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य और परिवार कल्याण विभाग)

नई दिल्ली, 31 अगस्त, 2009

का.आ. 2693.—दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय दंत चिकित्सा परिषद् से परामर्श करने के पश्चात उक्त अधिनियम की अनुसूची के भाग-1 में एतद्वारा निम्नलिखित संशोधन करती है; अर्थात्:—

2. दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर द्वारा प्रदत्त डेंटल डिग्रियों को मान्यता दिए जाने के संबंध में क्रमांक 72 के सामने स्तंभ 2 और 3 की मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियां उसके अंतर्गत रखी जाएंगी:—

“V. गवर्नमेंट डेंटल कॉलेज एंड हास्पिटल, जयपुर

(i) दंत शल्य चिकित्सा निष्णात

—कंजरवेटिव डेंटिस्ट्री

एम डी एस (कंजरवेटिव डेंटिस्ट्री), राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर”

(यदि 16-6-2009 को अथवा उसके बाद

प्रदान की गई हो)

—आर्थोडान्टिक्स

एम डी एस (आर्थो.), राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर

(यदि 19-6-2009 को अथवा उसके बाद

प्रदान की गई हो)

—ओरल सर्जरी

एम डी एस (ओरल सर्जरी), राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर

(यदि 19-6-2009 को अथवा उसके बाद

प्रदान की गई हो)

—पेरियोडान्टिक्स

एम डी एस (पेरियो.), राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर

(यदि 23-6-2009 को अथवा उसके बाद

प्रदान की गई हो)

[फा. सं. वी. 12017/15/2006 -डी.ई.]

आर. शंकरन, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 31st August, 2009

S.O. 2693.—In exercise of the powers conferred by sub-section (2) of Section-10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of columns 2 & 3 against Serial No. 72, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Rajasthan University of Health Sciences, Jaipur, the following entries shall be inserted thereunder:—

“V. Government Dental College & Hospital, Jaipur

(i) Master of Dental Surgery

—Conservative Dentistry

MDS (Cons. Dentistry), Rajasthan University of Health Sciences, Jaipur

(if granted on or after 16-6-2009)

—Orthodontics

MDS (Ortho.), Rajasthan University of Health Sciences, Jaipur

(if granted on or after 19-6-2009)

- Oral Surgery MDS (Oral Surgery), Rajasthan University of Health Sciences, Jaipur
(if granted on or after 19-6-2009)
- Periodontics MDS (Perio.), Rajasthan University of Health Sciences, Jaipur".
(if granted on or after 23-6-2009)

[F.No. V. 12017/15/2006-DE]

R. SANKARAN, Under Secy.

विदेश मंत्रालय

(सीपीवी प्रभाग)

नई दिल्ली, 15 सितम्बर, 2009

का.आ. 2694.—राजनयिक और कौंसलीय आफिसर (शपथ और फीस) अधिनियम, 1948 की धारा 2 के खंड (क) के अनुसरण में, केंद्र सरकार एतद्वारा श्री एन.एस. सीवच, और बी.एन. हलदर, सहायकों को 2009 से भारत के राजदूतावास, कुवैत में सहायक कौंसलर अधिकारी के कर्तव्यों का पालन करने के लिए प्राधिकृत करती है।

[सं. टी. 4330/1/2006]

आर.के. पेरिन्डिया, अवर सचिव (कौंसलर)

MINISTRY OF EXTERNAL AFFAIRS

(C.P.V. Division)

New Delhi, the 15th September, 2009

S.O. 2694.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri N.S. Siwach and Shri B.N. Haldar, Assistants in the Embassy of India, Kuwait to perform their duties of Assistant Consular Officer with effect from 15th September, 2009.

[No. T. 4330/1/2006]

R.K. PERINDIA, Under Secy. (Consular)

रसायन और उर्वरक मंत्रालय

(उर्वरक विभाग)

नई दिल्ली, 18 सितम्बर, 2009

का.आ. 2695.—केन्द्रीय सरकार, राजभाषा "संघ के शासकीय प्रयोजनों के लिए प्रयोग" नियम 1976 के नियम, 10 के उप नियम (4) के अनुसरण में रसायन एवं उर्वरक मंत्रालय, उर्वरक विभाग के प्रशासनिक नियंत्रणाधीन एफएसीडी के कोर्टायम, कृषि सेवा केन्द्र, जिसके 80 प्रतिशत से अधिक अर्थात् शत-प्रतिशत कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है।

[सं. ई.-11011/4/2008 हिन्दी]

सतीश चंद्र, संयुक्त सचिव

MINISTRY OF CHEMICAL AND FERTILIZERS

(Department of Fertilizers)

New Delhi, the 18th September, 2009

S.O. 2695.—In pursuance of sub-rule (4) of the Rule 10 of the Official Language "Use for Official Purposes of the Union" Rule, 1976 the Central Government hereby notifies the following offices of the Fertilizers and Chemicals Travancore Ltd., Kottayam Krishi Sewa Kendra under the administrative control of the Ministry of Chemicals & Fertilizers, Department of Fertilizers whereof more than 80% i.e. 100% staff have acquired the working knowledge of Hindi.

[No. E-11011/4/2008-Hindi]

SATISH CHANDRA, Jt. Secy.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

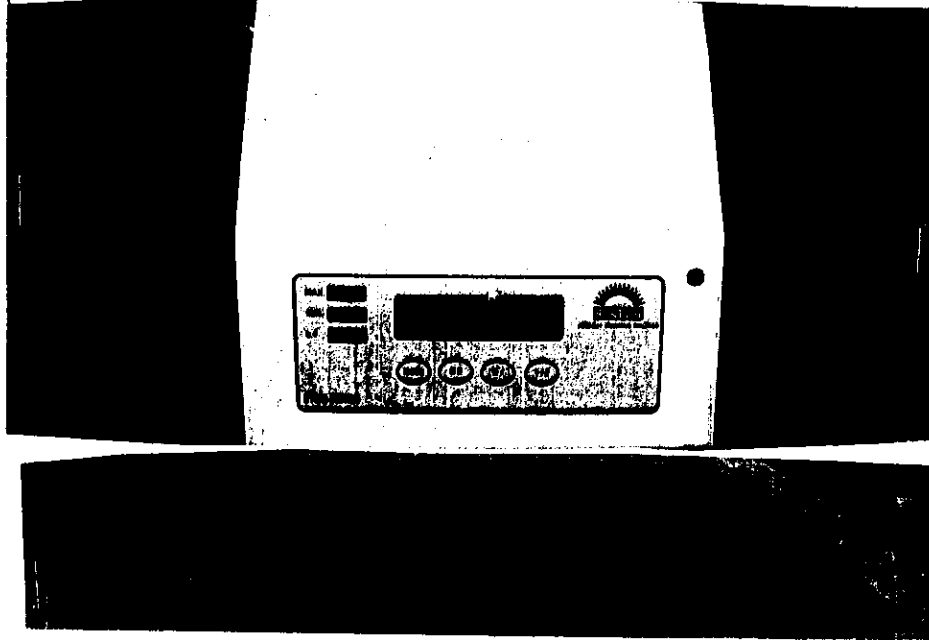
(उपभोक्ता मामले विभाग)

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2696.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सन-टैक इंस्ट्रुमेंट, # 5-5-35/45/1, तीसरा तल, प्रशांति नगर, कुकटपल्ली, हैदराबाद-500 072 आंध्र प्रदेश द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एस टी-डब्ल्यू बी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सन-टैक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/392 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (वेब्रिज टाइप) है। इसकी अधिकतम क्षमता 40000 कि.ग्रा. है और न्यूनतम क्षमता 200 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



इंडीकेटर के पीछे मध्य में, पिछली प्लेट और आउटर कवर को काटकर दो छेद किए गए हैं। इन छेदों को स्ट्याम्प और सील के सत्यापन के लिए लीड तार से कसा गया है। उपकरण को सील के छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपर दिया गया है।

और केन्द्रीय सरकार, अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (105)/2006]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

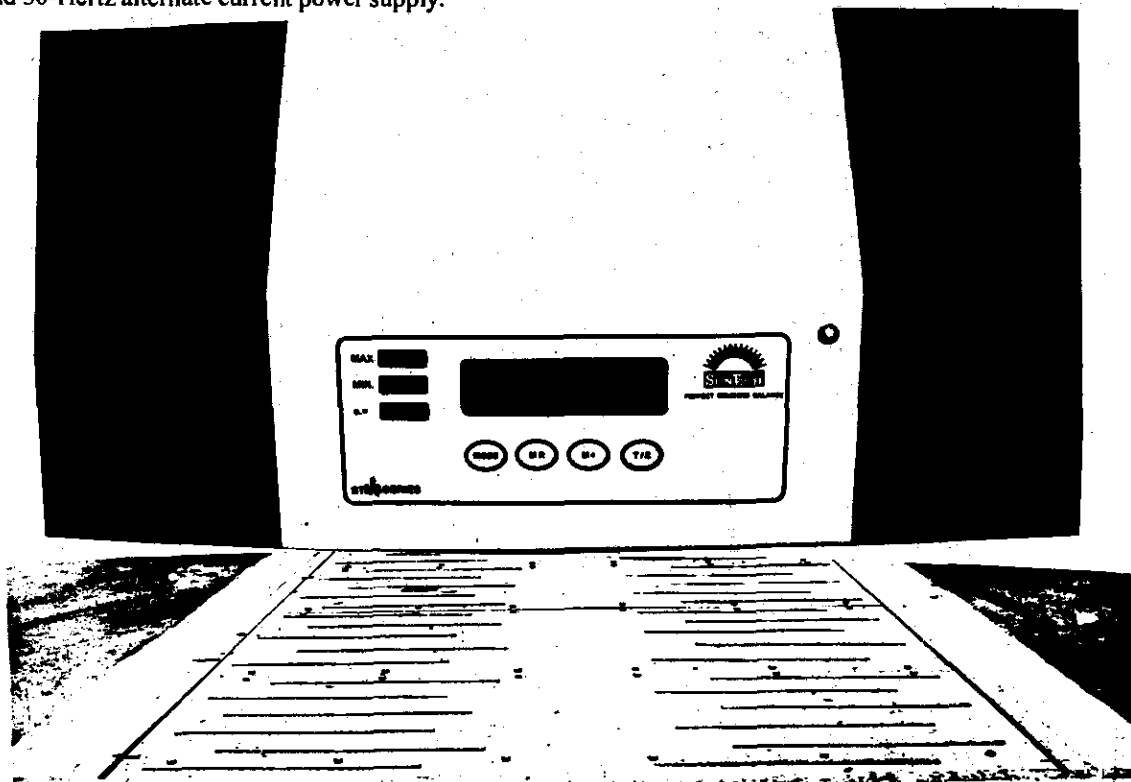
MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**(Department of Consumer Affairs)**

New Delhi, the 26th August, 2009

S.O. 2696.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge Type) with digital indication of "ST-WB" series of medium accuracy (Accuracy class-III) and with brand name "SUN-TECH" (hereinafter referred to as the said model), manufactured by M/s. Sun-Tech Instruments, # 5-5-35/45/1, 3rd Floor, Prasanti Nagar, Kukatpally, Hyderabad-500 072, Andhra Pradesh and which is assigned the approval mark IND/09/06/392;

The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 40000 kg and minimum capacity of 200 kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternate current power supply.



On the rear middle of the indicator, two holes are made by cutting the rear plate and outer cover and fastening a leaded wire through these bolts for receiving the verification stamp and seal. It can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, and performance of same series with maximum capacity above 5 tonne and up to 100 tonne and with the number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of the form 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

3439G/09-2

[F. No. WM-21 (105)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2697.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स परफैक्ट वेइंग सिस्टम, # 83, एम टी एच रोड, अम्बतूर इंडस्ट्रियल एस्टेट, चैन्नै-600 098, तमिलनाडु द्वारा विनिर्मित यथार्थता वर्ग 0.5 वाले "ए डब्ल्यू-560" शृंखला के अंकक सूचन सहित, स्वचालित, वेइंग रोड व्हीकल इन मोशन के लिए तोलन उपकरण (टोटल व्हीकल वेइंग-एक्सल व्हीयर टाइप) के मॉडल का, जिसके ब्रांड का नाम "परफैक्ट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/492 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित वेइंग रोड व्हीकल इन मोशन के लिए तोलन उपकरण है। इसकी अधिकतम क्षमता 25000 कि.ग्रा. है और न्यूनतम क्षमता 500 कि. ग्रा. है। सत्यापन मापमान अंतराल (डी) 10 कि. ग्रा. है। परिचालन स्पीड रेंज 1 कि.मी. प्रति घंटा से 5 कि.मी. प्रति घंटा है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



बाडी और सीलिंग में से लीड वायर कस कर निकाल कर इंडीकेटर के पीछे की तरफ सीलिंग व्यवस्था की गई है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 10 कि.ग्रा. के बराबर या उससे कम लिए 500 से 5000 तक के रेंज में सत्यापन मापमान अंतराल (डी) सहित। टन से 50 टन तक की अधिकतम क्षमता वाले हैं और "डी" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (229)/2006]

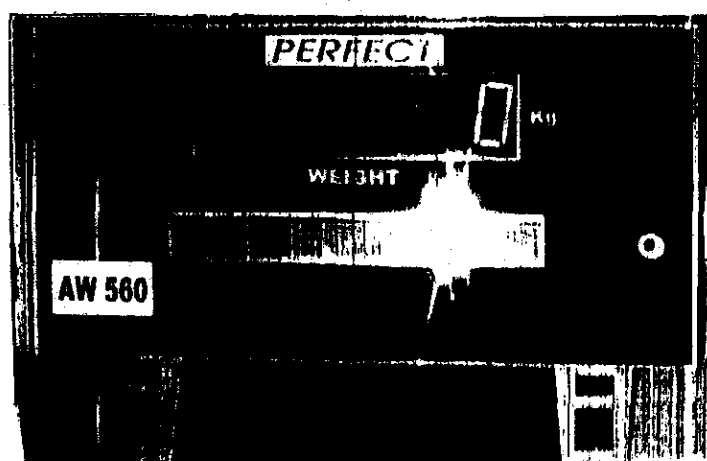
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

S.O. 2697.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Automatic Weighing Instrument for weighing road vehicles in motion (Total Vehicle Weighing-Axle Weigher type) with digital indication of "AW-560" series of accuracy class 0.5 and with brand name "PERFACT" (herein referred to as the said model), manufactured by M/s. Perfect Weighing System, # 83, M.T.H. Road, Ambattur Industrial Estate, Chennai-600 098, Tamil Nadu and which is assigned the approval mark IND/09/08/492;

The said model is a strain gauge type load cell based Automatic Weighing Instrument for weighing road vehicles in motion with maximum capacity of 25000 kg. and minimum capacity of 500 kg. The value of scale interval (d) is 10 kg. The operating speed range is between 1 km per hour to 5 km per hour. It has a tare device with the 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternate current power supply.



The sealing is provided on the back side of the indicator by passing a leaded wire fastened to the body and sealing it with leaded seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity between 1 tonne and up to 50 tonne and with number of scale interval in the range of 500 to 5000 for the value of scale interval 'd' less than or equal to 10 kg. and with 'd' value of the form 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (229)/2006]

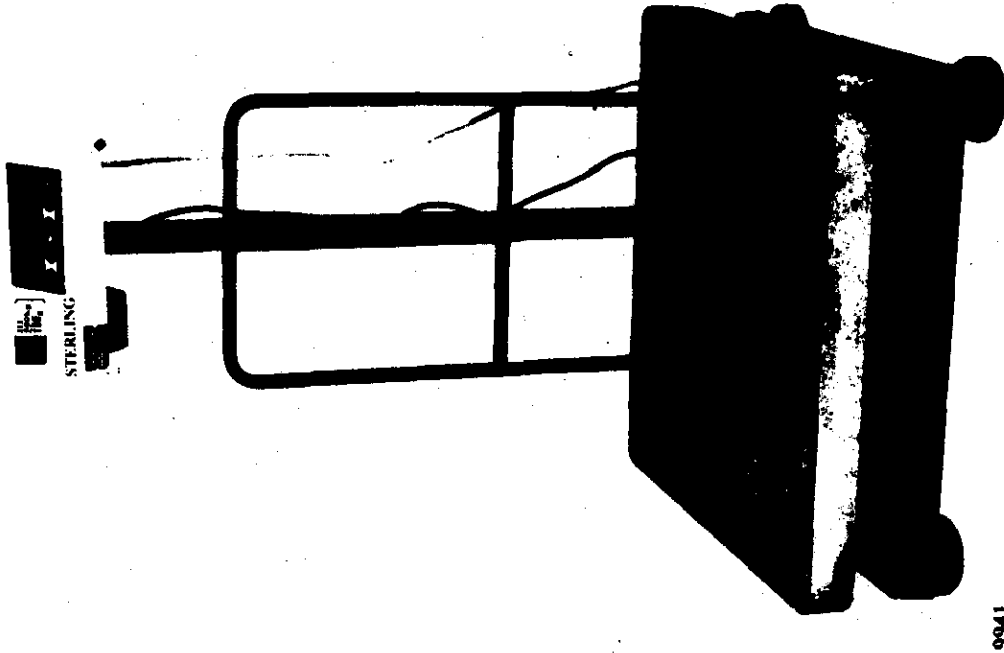
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2698.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा:

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स अनुपम एरोमेटिक्स, मनोकामेश्वर शिव मंदिर के पास, शिवपुरा, दुर्ग-491 001, छत्तीसगढ़ द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एस टी पी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "स्टर्लिंग" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/517 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 500 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



विभवमापी स्केल की बाड़ी के अंदर है और कपटपूर्ण व्यवहारों से रोकने के लिए विभवमापी के समायोजन के लिए स्केल की बाड़ी पर कोई छेद नहीं दिया गया है। इंडीकेटर के दोनों तरफ सीलिंग व्यवस्था की गई है और एक तार छेदों में से स्टापिंग प्लेट पर कस कर और दूसरी तरफ सीलिंग की गई है। सील को तोड़े बिना उपकरण को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (82)/2006]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

S.O. 2698.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform Type) with digital indication of "STP" series of medium accuracy (Accuracy class-III) and with brand name "STERLING" (hereinafter referred to as the said model), manufactured by M/s. Anupam Aromatics, Near Manokameshwar Shiv Mandir, Shivpura, Durg-491 001 Chattisgarh and which is assigned the approval mark IND/09/06/517;

The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 500 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternate current power supply.



The potentiometer is inside the body of the scale and no hole is provided on the body to avoid fraudulent use by adjusting the potentiometer. The sealing is provided on the two sides of the indicator and a wire is fastened to these holes at the stamping plate and the other side for the sealing. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and upto 5000kg. and with number of verification scale interval (n) in the range of 100 to 10,000 for 'e' value between 100mg to 2g. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and 'e' value of the form 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21 (82)/2006]

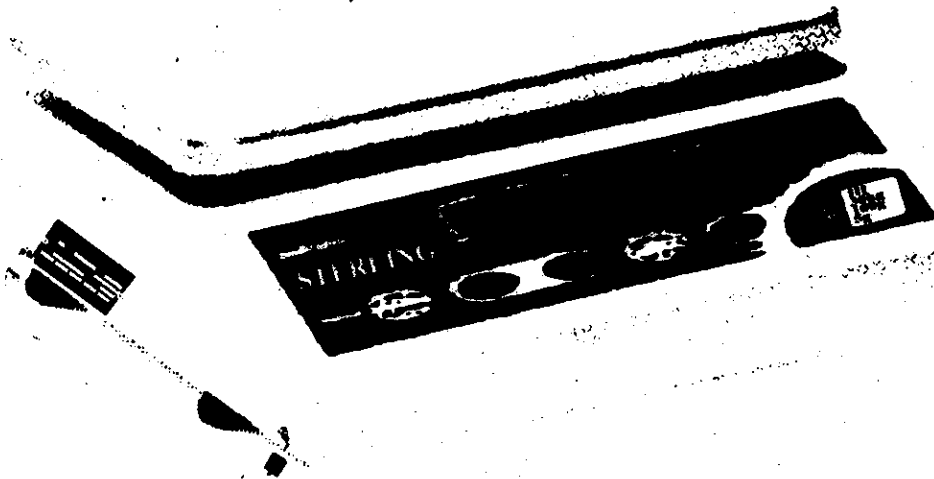
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2699.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स अनुपम एरोमेटिक्स, मनोकामेश्वर शिव मंदिर के पास, शिवपुरा, दुर्ग-491001, छत्तीसगढ़ द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एस टी टी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "स्टेरलिंग" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/516 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



9942

विभवमापी स्केल की बाड़ी के अंदर है और कपटपूर्ण व्यवहारों से रोकने के लिए विभवमापी के समायोजन के लिए स्केल की बाड़ी पर कोई छेद नहीं दिया गया है। इंडीकेटर के दोनों तरफ सीलिंग व्यवस्था की गई है और एक तार छेदों में से स्टाम्पिंग प्लेट पर कस कर और दूसरी तरफ सीलिंग की गई है। सील को तोड़े बिना उपकरण को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} , 5×10^{-3} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (82)/2006]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

S.O. 2699.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type) with digital indication of "STT" series of medium accuracy (Accuracy class-III) and with brand name "STERLING" (hereinreferred to as the said model), manufactured by M/s. Anupam Aromatics, Near Manokameshwar Shiv Mandir, Shivpura, Durg-491001, Chattisgarh and which is assigned the approval mark IND/09/06/516;

The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5 g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternate current power supply.



The potentiometer is inside the body of the scale and no hole is provided on the body to avoid fraudulent use by adjusting the potentiometer. The sealing is provided on the two sides of the indicator and a wire is fastened to these holes at the stamping plate and the other side for the sealing. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, and performance of same series with maximum capacity up to 50kg. and with number of verification scale interval (n) in the range of 100 to 10000 for 'e' value between 100mg. to 2g. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of the form 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

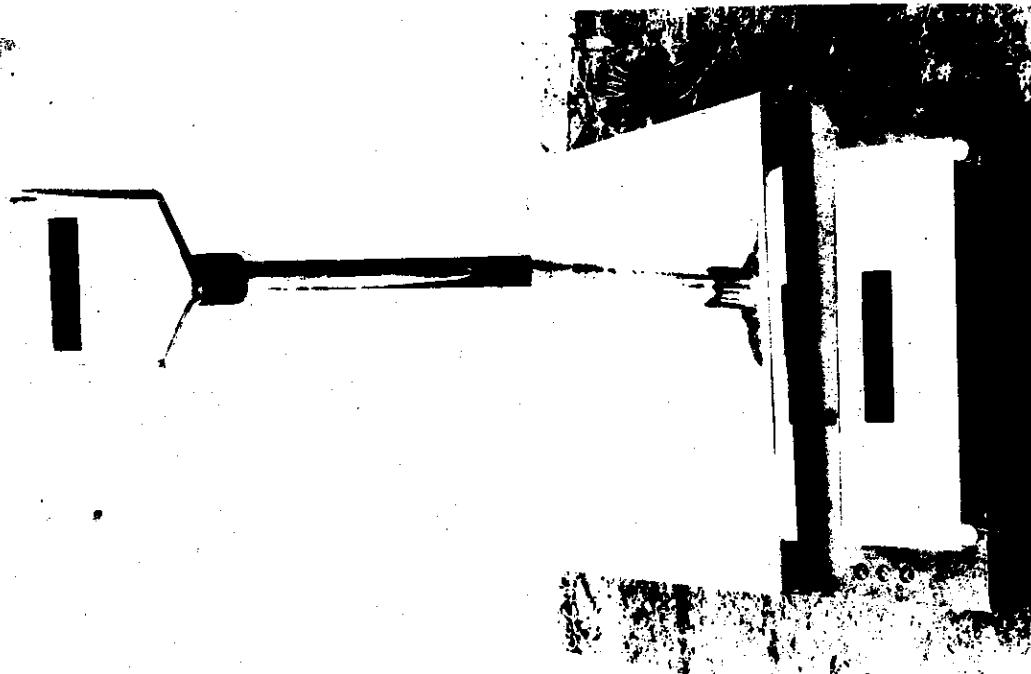
[F. No. WM-21 (82)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2700.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स श्याम टेकनो, 5 अरिहन्त कॉम्प्लेक्स, स्टेशन रोड, रायपुर-492009, छत्तीसगढ़ द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “टी एल” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “लक्ष्मी” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/518 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।



उक्त माडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

इंडीकेटर के दोनों तरफ और इंडीकेटर के टाप कवर तथा बेस में छेद करके, इन छेदों में से लीड वायर कस कर निकालते हुए इंडीकेटर के सामने की तरफ लीड सील से सीलिंग की गई है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनावद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

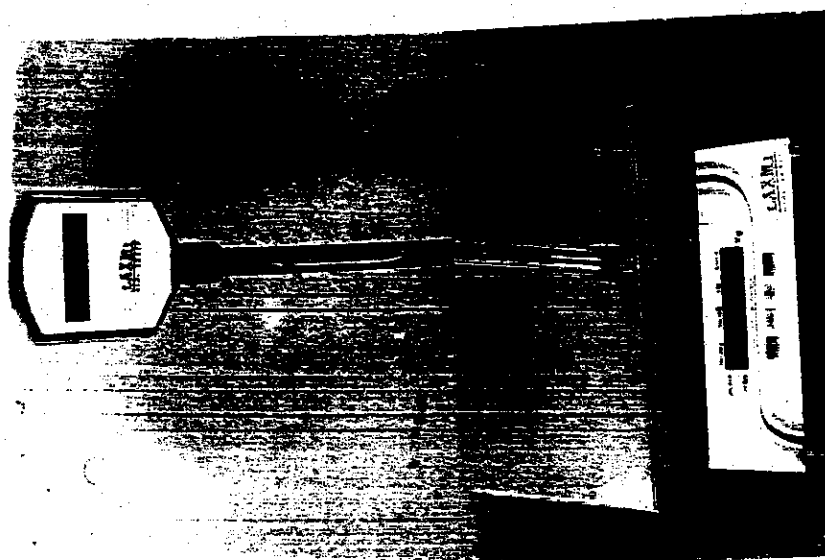
[फा. सं. डब्ल्यूएम-21 (201)/2006]

असर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

S.O. 2700.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type) with digital indication of "TL" series of medium accuracy (Accuracy class-III) and with brand name "LAXMI" (herein referred to as the said model), manufactured by M/s. Shyam Techno, 5, Arihant Complex, Station Road, Raipur-492009 Chhattisgarh and which is assigned the approval mark IND/09/06/518;



The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 5 g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternate current power supply.

The sealing is provided on the front side of weighing scale by making a hole each on both sides of the indicator and top over and base of the indicator, and then passing a leaded wire fastening to these holes and sealing it with leaded seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg and with number of verification scale interval (n) in the range of 100 to 10000 for 'e' value between 100mg to 2g and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and 'e' value of the form 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (201)/2006]

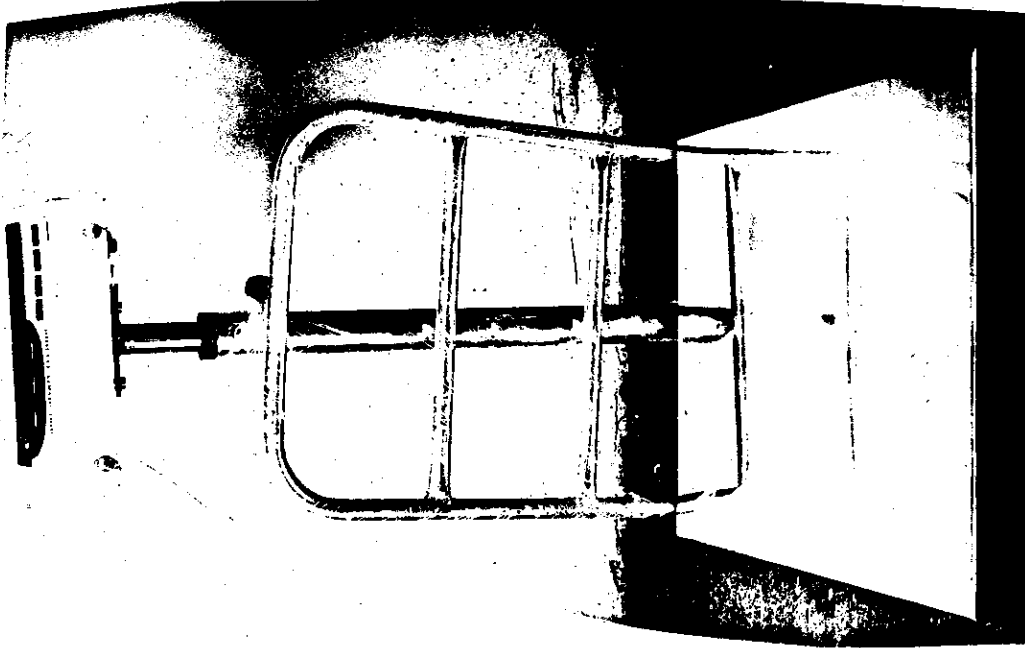
34394/09-3

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2701.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स श्याम टेकनो, 5 अरिहन्त कॉम्प्लेक्स, स्टेशन रोड, रायपुर-492009, छत्तीसगढ़ द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "पी एल" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "लक्ष्मी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/519 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 60 कि.ग्रा. है और न्यूनतम क्षमता 200 ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

इंडीकेटर के दोनों तरफ और इंडीकेटर के टॉप कवर तथा बेस में छेद करके, इन छेदों में से लीड वायर कस कर निकालते हुए इंडीकेटर के सामने की तरफ लीड सील से सीलिंग की गई है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

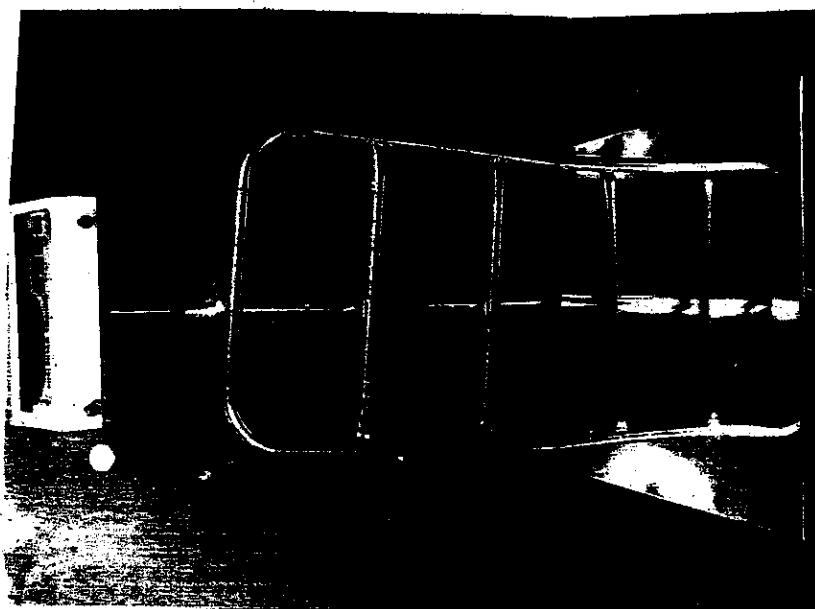
[फा. सं. डब्ल्यू एम-21 (201)/2006]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th August, 2009

S.O. 2701.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform Type) with digital indication of "PL" series of medium accuracy (Accuracy class-III) and with brand name "LAXMI" (hereinafter referred to as the said model), manufactured by M/s. Shyam Techno, 5, Arihant Complex, Station Road, Raipur-492009, Chhattisgarh and which is assigned the approval mark IND/09/06/519;



The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 60 kg. and minimum capacity of 200g. The verification scale interval (e) is 10 g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternate current power supply.

The sealing is provided on the front side of the indicator by making a hole each on both sides of the indicator and top over and base of the indicator, and then passing a leaded wire fastened to these holes and sealing it with leaded seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, and performance of same series with maximum capacity above 50kg and upto 5000 kg. and with number of verification scale interval (n) in the range of 100 to 10000 for 'e' value between 100mg. to 2g. the formand with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (201)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

भारतीय मानक ब्यूरो

नई दिल्ली, 15 सितम्बर, 2009

का.आ. 2702.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक (कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्रम संशोधित भारतीय मानक संशोधनों की संख्या की संख्या और वर्ष संख्या और तिथि की तिथि

| (1) | (2) | (3) | (4) |
|-----|------------|---------------|------------------|
| 1. | 12269:1987 | 9 अगस्त, 2009 | 14 सितम्बर, 2009 |

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ: सीईडी/राजपत्र]

ए. के. सैनी, वैज्ञानिक 'एफ' व प्रमुख (सिविल इंजीनियरी)

BUREAU OF INDIAN STANDARDS

New Delhi, the 15th September, 2009

S.O. 2702.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No. No. and year of Indian Standards the amendment No. and year of the amendment Date from which the amendment shall have effect

| (1) | (2) | (3) | (4) |
|-----|------------|----------------|--------------------|
| 1. | 12269:1987 | 9 August, 2009 | 14 September, 2009 |

Copies of these amendments are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai, and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: CED/Gazette]

A. K. SAINI, Scientist 'F' & Head (Civil Engg.)

कोयला मंत्रालय

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2703.—केन्द्रीय सरकार को यह प्रतीत होता है, कि इससे उपाबद्ध अनुसूची में उल्लेखित परिक्षेत्र की भूमि में से कोयला अभिप्राप्त किए जाने की संभावना है ;

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में कोयले का पूर्वक्षण करने के अपने आशय की सूचना देती है;

इस अधिसूचना के अंतर्गत आने वाले रेखांक सं. सी-1 (ई) III/एच. आर./796-0709 तारीख 22 जुलाई, 2009 का निरीक्षण, वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व विभाग), कोल इस्टेट, सिविल लाइन्स, नागपुर 440 001 (महाराष्ट्र) के कार्यालय में या मुख्य महाप्रबंधक (एक्सप्लोरेशन डिवीजन), केन्द्रीय खान, योजना और डिजाइन संस्थान, गोंडवाना पैलेस, काँके रोड राँची के कार्यालय में या कोयला नियंत्रक, I, कार्जसिल हाऊस स्ट्रीट, कोलकाता के कार्यालय में या जिला कलक्टर, छिन्दवाड़ा (मध्य प्रदेश) के कार्यालय में किया जा सकता है;

इस अधिसूचना के अंतर्गत आने वाली भूमि में, हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से 90 दिनों के भीतर, मुख्य महाप्रबंधक, वेस्टर्न कोलफील्ड्स लिमिटेड, कन्हान क्षेत्र, पोस्ट डुंगरिया, तहसील जुनारदेव, जिला छिन्दवाड़ा-480 553 (मध्य प्रदेश) या मुख्य खनन अभियंता (भू/राजस्व), वेस्टर्न कोलफील्ड्स लिमिटेड, राजस्व विभाग, कोल इस्टेट, सिविल लाइन्स, नागपुर-440 001 (महाराष्ट्र) को भेजेंगे।

अनुसूची

शारदा भूमिगत खान

कन्हान क्षेत्र

जिला छिन्दवाड़ा (मध्य प्रदेश)

(रेखांक सं. सी-1 (ई) III/एच. आर./796-0709 तारीख 22 जुलाई, 2009)

| क्रम संख्या | ग्राम का नाम | पटवारी सर्कल संख्या | तहसील | जिला | क्षेत्रफल हेक्टर में | टिप्पणी |
|-------------|--------------|---------------------|----------|------------|----------------------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | |
| 1. | जमकुण्डा | 27 | जुनारदेव | छिन्दवाड़ा | 13.200 | भाग |
| 2. | उमरिया फदाली | 27 | जुनारदेव | छिन्दवाड़ा | 206.400 | भाग |
| 3. | केओलारी कला | 25 | जुनारदेव | छिन्दवाड़ा | 7.200 | भाग |

| 1 | 2 | 3 | 4 | 5 | 6 |
|-------------|----|----------|------------|--------|-----|
| 4. मोरकुण्ड | 27 | जुनारदेव | छिन्दवाड़ा | 2.200 | भाग |
| 5. घुट्टी | 27 | जुनारदेव | छिन्दवाड़ा | 38.000 | भाग |

कुल क्षेत्र : 267.00 हेक्टर

(लगभग)

या 659.757 एकड़

(लगभग)

सीमा वर्णन :—

क-ख: रेखा ग्राम घुट्टी में बिन्दु 'क' से आरंभ होती है और ग्राम घुट्टी और ग्राम मोरकुण्ड, ग्राम मोरकुण्ड और ग्राम केओलारी कला, उसी तरह ग्राम केओलारी कला और ग्राम उमरी की सम्मिलित ग्राम सीमा को पार करती है और बिन्दु 'ख' पर मिलती है।

ख-ग: रेखा ग्राम उमरिया फदाली से होकर गुजरती है और ग्राम उमरिया फदाली और ग्राम केओलारी कला की सम्मिलित ग्राम सीमा को पार करती है और ग्राम केओलारी कला में बिन्दु 'ग' पर मिलती है।

ग-घ: रेखा ग्राम केओलारी कला से होकर गुजरती है और ग्राम केओलारी कला और ग्राम नजरपुर की सम्मिलित ग्राम सीमा पर बिन्दु 'घ' पर मिलती है।

घ-ङ: रेखा ग्राम केओलारी कला से होकर गुजरती है और ग्राम केओलारी कला और ग्राम उमरिया फदाली की सम्मिलित ग्राम सीमा पर बिन्दु 'ङ' पर मिलती है।

ङ-च: रेखा ग्राम उमरिया फदाली से होकर गुजरती है और ग्राम उमरिया फदाली और ग्राम जमकुण्डा की सम्मिलित ग्राम सीमा पर बिन्दु 'च' पर मिलती है।

च-छ-ज-झ: रेखा ग्राम जमकुण्डा से होकर गुजरती है फिर बिन्दु 'छ' और 'ज' के पास से गुजरते हुए ग्राम जमकुण्डा और ग्राम उमरिया फदाली की सम्मिलित ग्राम सीमा पर बिन्दु 'झ' पर मिलती है।

झ-ञ-ट: रेखा ग्राम उमरीया से होकर गुजरती है फिर बिन्दु 'ञ' के पास से गुजरती है और ग्राम उमरीया फदाली और घुट्टी की सम्मिलित ग्राम सीमा को पार करती है फिर ग्राम घुट्टी से होकर गुजरती है और बिन्दु 'ट' पर मिलती है।

ट-ठ-ड-क: रेखा ग्राम घुट्टी से होकर जाती है और बिन्दु 'ठ'-'ड' के पास से गुजरते हुए आंशिक बिन्दु 'क' पर मिलती है।

[फा. सं. 43015/25/2009-पीआरआईडब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

MINISTRY OF COAL

New Delhi, the 29th September, 2009

S.O. 2703.—Whereas, it appears to the Central Government that Coal is likely to be obtained from the lands in the locality mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein;

The plan bearing number C-1(E)III/HR/796-0709 dated the 22nd July, 2009 of the area covered by this notification can be inspected at the office of the Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur - 440 001 (Maharashtra) or at the office of the Chief General Manager (Exploration Division), Central Mine Planning and Design Institute, Gondwana Place, Kanke Road, Ranchi or at the office of the Coal Controller, 1, Council House Street, Kolkata or at the office of the District Collector, Chhindwara (Madhya Pradesh).

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of Section 13 of the said Act to the Chief Mining Engineer (Land/Revenue), Western Coalfields Limited, Revenue Department, Coal Estate, Civil Lines, Nagpur - 440 001 (Maharashtra) or office of the Chief General Manager, Western Coalfields Limited, Kanhan Area, PO : Dungaria, Tahsil Junnardeo, District Chhindwara - 480 553 (Madhya Pradesh) within ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE

SHARDA UNDERGROUND MINE KANHAN AREA
DISTRICT CHHINDWARA, (MADHYA PRADESH)

[Plan bearing number C-1 (E)III/HR/796-0709 dated the 22nd July, 2009]

| Sl. No. | Name of Village | Patwari circle number | Tahsil | District | Area in hectares | Remarks |
|---------|-----------------|-----------------------|-----------|------------|------------------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | |
| 1. | Jamkunda | 27 | Junnardeo | Chhindwara | 13.200 | Part |
| 2. | Umriya Fadali | 27 | Junnardeo | Chhindwara | 206.400 | Part |
| 3. | Keolari Kala | 25 | Junnardeo | Chhindwara | 7.200 | Part |
| 4. | Morkund | 27 | Junnardeo | Chhindwara | 2.200 | Part |

| 1 | 2 | 3 | 4 | 5 | 6 |
|---|--------|----|----------------|-----------------|-------------|
| 5 | Ghutti | 27 | Junn- ardeo | Chhin- dwara | 38.000 Part |

Total area : 267.000 Hectares
(approximately)

or

659.757 Acres
(approximately)

Boundary Description:—

- A-B: Line start from Point 'A' in village Ghutti and crosses common village boundary of villages Ghutti and Morkund, Morkund and Keolari Kala Keolari Kala and Umariya Fadali and meets at Point 'B'.
- B-C: Line passes through village Umriya Fadali and crosses common village boundary of villages Umriya Fadali and Keolari Kala and meets at Point 'C' at village Keolari Kala.
- C-D: Line passes through village Keolari Kala and meets at Point 'D' on common village boundary of villages Keolari Kala and Umariya Fadali.
- D-E: Line passes through village Keolari Kala and meets at Point 'E' on common village boundary of villages Keolari Kala and Umariya Fadali.
- E-F: Line passes through village Umariya Fadali and meets at Point 'F' on common village boundary of villages Umariya Fadali and Jamkunda.
- F-G-H-I: Line passes through village Jamkunda and passes nearby Point 'G'-'H' and meets at Point 'I' on common village boundary of villages Jamkunda and Umariya Fadali.
- I-J-K: Line passes through village Umariya Fadali and passes nearby Point 'J' then crosses common village boundary of villages Umariya Fadali and Ghutti then passes through village Ghutti and meets at Point 'K'.
- K-L-M-A: Line passes through village Ghutti and passes nearby Point 'L' - 'M' and meets at starting Point. 'A'.

[No. 43015/25/2009-PRIW-I]

M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2704.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उप-धारा (1) के अधीन जारी भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का. आ. 623 तारीख 5 मार्च, 2009 जो भारत के राजपत्र भाग-II, खण्ड 3, उपखण्ड (ii) तारीख 14 मार्च, 2009 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की 257.017 हेक्टर या 635.089 एकड़ माप वाली भूमि और उस पर के सभी अधिकारों का अर्जन करने के अपने आशय की सूचना दी थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और छत्तीसगढ़ सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 257.017 हेक्टर (लगभग) या 635.089 एकड़ (लगभग) माप वाली भूमि के सभी अधिकार अर्जित किए जाने चाहिए;

अतः अब केन्द्रीय कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इससे संलग्न अनुसूची में वर्णित 257.017 हेक्टर (लगभग) या 635.089 एकड़ (लगभग) माप वाली भूमि के सभी अधिकार अर्जित किए जाते हैं।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. एसईसीएल/बीएसपी/जीएम/(पीएलजी)/भूमि/343 तारीख 17 जून, 2009 का निरीक्षण कलेक्टर, कोरबा (छत्तीसगढ़) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट कोलकाता-700001 के कार्यालय में या साउथ ईस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग) सीपत रोड, बिलासपुर 495006 (छत्तीसगढ़) के कार्यालय में किया जा सकता है।

अनुसूची

पोंडी ब्लाक पहला विस्तार, (गेवरा विस्तार), गेवरा क्षेत्र

जिला-कोरबा (छत्तीसगढ़)

(रेखांक संख्या एसईसीएल/बीएसपी/जीएम (पीएलजी)/भूमि/343 तारीख 17 जून, 2009)

सभी अधिकार

| क्रम सं. | ग्राम का नाम | खेबट संख्या | पटवारी हल्का संख्या | तहसील | जिला | क्षेत्र हेक्टर में | टिप्पणी |
|----------|--------------|-------------|---------------------|--------|-------|--------------------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | |
| 1. | आमगाँव | 36 | 12 | कटघोरा | कोरबा | 32.599 | भाग |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|----|------------|----|----|--------|-------|--------|-----|
| 2. | रलिया | 34 | 20 | कटघोरा | कोरबा | 73.745 | |
| 3. | बहानपाट | 30 | 20 | कटघोरा | कोरबा | 24.823 | भाग |
| 4. | भठोरा | 29 | 20 | कटघोरा | कोरबा | 55.828 | भाग |
| 5. | भिलाईबाजार | 31 | 19 | कटघोरा | कोरबा | 70.022 | भाग |

कुल क्षेत्र : 257.017 हेक्टर (लगभग)

या 635.089 एकड़ (लगभग)

(1) ग्राम आमगाँव (भाग) में अर्जित किये गये प्लॉट संख्या:

438/1 से 438/3, 439/1, 439/2, 440, 441/1 से 441/3, 442/1 से 442/9, 443/1, 443/2, 444/1 से 444/4, 445/10 से 445/13, 446 से 448, 449/1 से 449/4, 450, 451/1, 451/5, 452, 453/1, 453/2, 454/1, 454/3, 455/1, 455/2, 456, 457/1 से 457/3, 458 से 460, 461/1 से 461/5, 462, 598/1 से 598/4, 599, 600, 601(भाग), 602/1, 602/2, 603, 604/1, 604/2, 605, 616, 617/1, 617/2, 618, 619, 620, 621/1 से 621/5, 622, 623/1 से 623/9, 624 से 629, 630/1 से 630/8, 631/1, 631/2, 632/1 से 632/3, 633/1, 633/2, 633/3, 633/3 के एच, 633/4, 633/5, 648/1 (भाग), 648/2, 648/3, 648/4, 648/4 के, 648/5 से 648/14.

(2) ग्राम रलिया (भाग) में अर्जित किये गये प्लॉट संख्या:

6/1 से 6/4, 14/1 से 14/38, 15/1 से 15/3, 16/1(भाग), 16/2 से 16/7, 18/1 से 18/4, 19, 20/1 से 20/3, 25, 32/1 (भाग), 32/2 से 32/11, 33, 35/1, 35/2, 36, 37, 38/1 (भाग), 38/2 से 38/6, 194 से 197, 198(भाग), 210(भाग), 211/1 से 211/3, 212, 213, 220, 221, 224/1, 224/2, 225/1 से 225/3, 226, 227, 231(भाग), 233(भाग), 234, 235.

(3) ग्राम बहानपाट (भाग) में अर्जित किये गये प्लॉट संख्या :

77/1 से 77/17, 78/1, 78/2, 79/1 से 79/4, 80 से 82, 83/1, 83/2, 84/1 से 84/14, 280/1 से 280/12, 281/1, 281/2, 282, 283/1 से 283/9, 284/1 से 284/9, 285, 286/1 से 286/7, 287, 288/1 से 288/15, 289/1, 289/2, 290, 291/1, 291/2, 292, 293/1 से 293/5, 294 से 296, 297/1 से 297/4, 298, 299, 300/1 से 300/12, 301/1 से 301/14, 302, 303/1 से 303/8, 311/1 से 311/9, 337, 338/1 से 338/4, 339, 340/1 से 340/16, 341, 342/1, 342/2, 343 से 345, 346/1 से 346/7, 347 से 352, 353/1 से 353/4, 354, 355/1 से 355/5, 356/1, 356/2, 357/1 से 357/20, 358 से 362, 363/1, 363/2, 364/1, 364/2, 365/1 से 365/4, 366/1 से 366/4, 366/5 के, 366/5 के एच, 366/5 जी, 366/5 जी एच, 366/5 एन जी, 366/5 सी एच, 366/5 सी एच एच, 366/5 जे, 366/6 से 366/17,

367/1 से 367/3, 368 से 371, 372/1, 372/2, 373/1 से 373/4.

(4) ग्राम भठोरा (भाग) में अर्जित किये प्लॉट संख्या :

116(भाग), 153/1 से 153/7, 154/1, 154/2, 155/1 से 155/4, 156, 157, 158/1 से 158/8, 159/1 से 159/4, 160/1, से 160/4, 161 से 164, 165/1, 165/2, 166, 167, 168/1 से 168/4, 169/1, 169/2, 170, 171/1 से 171/4, 172/1, 172/2, 173, 174/1 से 174/4, 175/1 से 175/3, 176/1 से 176/3, 177/1 से 177/3, 178/1 से 178/3, 179, 180/1, 180/2, 181 से 191, 192/1, 192/2, 193/1 से 193/5, 194/1 से 194/4, 195/1, 195/2, 196/1, 196/2, 197, 198, 199/1 से 199/6, 200, 201, 202/1 से 202/6, 203/1 से 203/3, 204/1 से 204/4, 205/1, 205/2, 206/1, 206/2, 207, 208/1 से 208/7, 209/1, 209/2, 210, 211/1, 211/2, 212/1, 212/2, 213/1, 213/2, 214, 215/1 से 215/4, 216, 217, 218/1 से 218/3, 219 से 221, 222/1 से 222/7, 223/1 से 223/3, 224, 225/1, 225/2, 226 से 231, 232/1, 232/2, 233, 234/1 से 234/6, 235, 236, 237/1 से 237/3, 238/1 के, 238/1 के एच, 238/1 जी, 238/1 जी एच, 238/1 एन जी ए, 239/1, 239/2, 240 से 243, 244/1 से 244/3, 245, 246/1, 246/2, 247, 248/1, 248/2, 249, 250/1 से 250/5, 251, 252/1 से 252/7, 253, 254, 255/1, 255/2, 256/1, 256/2, 257, 258, 259(भाग), 260(भाग), 261 (भाग), 272(भाग), 273/1 से 273/6, 274, 275, 276(भाग), 277(भाग), 278/1 से 278/5, 279, 280/1, 280/2, 281/1, 281/2, 282, 283, 284/1, 284/2, 285/1 से 285/3, 286, 287/1 से 287/3, 288, 289(भाग), 305(भाग), 306 से 308, 309/1 से 309/4, 310 से 312, 313/1, 313/2, 314 से 316, 317/1 से 317/3, 318/1 से 318/3, 319/1 से 319/3, 320, 321, 322/1 से 322/5, 323, 324/1, 324/2, 325 से 328, 329/1, 329/2, 330/1 से 330/4, 331/1 से 331/4, 332, 333/1 से 333/5, 334/1 से 334/5, 335, 336, 337/1 से 337/4, 338, 339/1 से 339/8, 340 से 343, 344/1, 344/2, 345, 346/1, 346/2, 347/1 से 347/3, 348, 349(भाग), 350, 351, 352(भाग), 353(भाग), 354(भाग), 355 से 358, 359(भाग), 360/1, 360/2, 361 से 364, 365/1 से 365/5, 366 से 369, 370/1 से 370/5, 371/1, 372, 373/1 से 373/4, 374/1 से 374/9, 375(भाग), 376, 377, 378(भाग), 393(भाग), 394(भाग), 395, 396/1, 396/2, 397, 398/1 से 398/3, 399/1 से 399/3, 400, 401, 402(भाग), 403 (भाग), 404(भाग), 405/1, 405/2, 406(भाग), 407(भाग), 412(भाग), 413(भाग), 414(भाग), 432(भाग), 433, 434, 435/1 से 435/5, 436/1, 436/2, 437/1, 438(भाग), 439, 440, 441/1, 441/2, 442/1 से 442/11, 443(भाग), 444(भाग), 466(भाग), 467(भाग), 469(भाग), 470(भाग).

(5) ग्राम भिलाईबाजार (भाग) में अर्जित किये प्लॉट संख्या :

1, 2/1, 2/2, 3 से 6, 7/1, 7/2, 8, 9/1 से 9/4, 10, 11/1, 11/2, 12 से 15, 16/1 से 16/4, 17, 18/1, 18/2, 19/1, 19/2, 20/1 से 20/4, 21 से 24, 25/1, 25/2, 26/1, 26/2, 27 से 31, 32/1, 32/2, 33 से 51, 52/1 से 52/12, 53 से 57, 58/1 से 58/5, 59/1, 59/2, 60/1, 60/2, 61/1, 61/2, 62/1, 62/2, 63 से 65, 66/1, 66/2, 67/1 से 67/3, 68/1 से 68/22, 69 से 71, 72/1, 72/2, 73, 74/1 से 74/4, 75/1, 75/2, 76, 77/1 से 77/4, 78/1, 78/2, 79/1 से 79/4, 80, 81, 82/1 से 82/4, 83/1, 83/2, 84/1, 84/2, 106/1 से 106/8, 107/1 से 107/5, 108, 109, 110/1 से 110/7, 111/1, 111/2, 112/1 से 112/3, 113/1, 113/2, 114/1, 114/4 से 114/7, 115/1, 115/2, 195/1, 195/2 के, 195/2केएच, 195/2जी, 195/3 से 195/12, 196/1, 196/2, 197/1, 197/2, 198/1, 198/2, 199, 200/1 के, 200/1केएच, 200/2 से 200/4, 201 से 203, 206 से 217, 218/1, 218/2, 219, 220/1 से 220/3, 221, 222, 240 से 246, 247/1, 247/2, 248/1, 248/2, 249/1 से 249/3, 250/1 से 250/5, 251/1, 251/2, 252 से 254, 255/1, 255/2, 256 से 258, 259/1, 259/2, 260/1 से 260/3, 261 से 263, 264/1 से 264/3, 265 से 267, 268/1 से 268/3, 269/1 से 269/4, 270/1 से 270/5, 271/1 से 271/4, 272.

सीमा वर्णन :—

- क-ख रेखा ग्राम आमगाँव में बिन्दु “क” से आरंभ होती है और प्लॉट संख्या 598/1, 599, 600-601/2, 601/3 के पूर्वी सीमा, प्लॉट संख्या 602, 603, 461, 445/2, 439 की उत्तरी सीमा फिर प्लॉट संख्या 438, 441/2 की पूर्वी सीमा, प्लॉट संख्या 630/2, 630/1, 633/2, 633/1, 648/1 की उत्तरी सीमा से गुजरती हुई ग्राम आमगाँव-रलिया के सम्मिलित सीमा में बिन्दु “ख” पर मिलती है।
- ख-ग रेखा ग्राम आमगाँव-रलिया के सम्मिलित सीमा से होती हुई बिन्दु “ग” पर मिलती है।
- ग-घ रेखा ग्राम रलिया के प्लॉट संख्या 6/1, 6/2, 14, 15, 20, 25, 32/4, 32/2 की उत्तरी सीमा से होती हुई बिन्दु “घ” पर मिलती है।
- घ-ङ-च रेखा ग्राम रलिया के प्लॉट संख्या 33 की पश्चिमी सीमा, बिन्दु “ङ” प्लॉट संख्या 38/1 से होती हुई बिन्दु “च” पर मिलती है।
- च-छ-ज-झ रेखा ग्राम रलिया के प्लॉट संख्या 38/1 की पूर्वी सीमा, बिन्दु “छ”, प्लॉट संख्या 38/1 की दक्षिणी सीमा, बिन्दु “ज”, प्लॉट संख्या 38/1, 38/2 की पूर्वी सीमा से गुजरती हुई बिन्दु “झ” पर मिलती है।
- झ-ञ रेखा ग्राम रलिया के प्लॉट संख्या 195, 196, 197, 198/5क, 198 (भाग), 224, 226, 231, 221, 220, 211 की उत्तरी सीमा, प्लॉट संख्या 210 की पश्चिमी

सीमा से होती हुई ग्राम रलिया-भिलाई बाजार के सम्मिलित सीमा में बिन्दु “ज” पर मिलती है।

- ज-त रेखा ग्राम भिलाई बाजार-रलिया के सम्मिलित सीमा से गुजरती हुई बिन्दु “त” पर मिलती है।
- त-थ रेखा ग्राम पोंडी-भिलाई बाजार के सम्मिलित सीमा से गुजरती हुई बिन्दु “थ” पर मिलती है।
- थ-द रेखा ग्राम पोंडी-बहानपाट के सम्मिलित सीमा से गुजरती हुई बिन्दु “द” पर मिलती है।
- द-ध रेखा ग्राम बहानपाट के प्लॉट संख्या 77, 79/1, 83, 84, 288, 286, 280/4, 303/2, 311/1, 311/2, 311/3, 337, 338/1, 338/3, 339, 340 की उत्तरी सीमा से गुजरती हुई ग्राम बहानपाट-भिलाई बाजार के सम्मिलित सीमा में बिन्दु “ध” पर मिलती है।
- ध-न रेखा ग्राम भिलाई बाजार-भठोरा के सम्मिलित सीमा से गुजरती हुई बिन्दु “न” पर मिलती है।
- न-ट-ठ रेखा ग्राम भठोरा के प्लॉट संख्या 153/2 की पश्चिमी सीमा, प्लॉट संख्या 153/2, 153/1 की उत्तरी सीमा, प्लॉट संख्या 156, 157, 116 की पश्चिमी सीमा से होती हुई बिन्दु “ठ” पर मिलती है।
- ठ-ड रेखा ग्राम भठोरा के प्लॉट संख्या 116, 261, 260/2, 260/1, 259/7ख, 272, 276 से गुजरती है फिर प्लॉट संख्या 275 की उत्तरी सीमा, प्लॉट संख्या 277/2, 289, 375, 378, 393, 394, 414 से होती हुई बिन्दु “ड” पर मिलती है।
- ड-ढ-ण रेखा ग्राम भठोरा के प्लॉट संख्या 414, 413, 402, 403, 404, 407, 406/1, 402/2, 359, 354, 347, 348, बिन्दु “ढ”, प्लॉट संख्या 350-351-352, 353 से गुजरती है फिर प्लॉट संख्या 433, 434 की उत्तरी सीमा और प्लॉट संख्या 438, 443, 444, 446, 467, 469, 470 से होती हुई ग्राम भिलाई बाजार-भठोरा के सम्मिलित सीमा में बिन्दु “ण” पर मिलती है।
- ण-प रेखा ग्राम भिलाई बाजार-भठोरा के सम्मिलित सीमा से होती हुई बिन्दु “प” पर मिलती है।
- प-फ रेखा ग्राम भिलाई बाजार के प्लॉट संख्या 272 की दक्षिणी सीमा और प्लॉट संख्या 266, फिर प्लॉट संख्या 240, 241 की पूर्वी सीमा और प्लॉट संख्या 241, 242, 247/1, 247/2, 248/2 की दक्षिणी सीमा, प्लॉट संख्या 220/1, 221, 222 के पूर्वी सीमा फिर प्लॉट संख्या 222 की दक्षिणी सीमा, प्लॉट संख्या 206, 203 की पूर्वी, प्लॉट संख्या 203, 202 की दक्षिणी, प्लॉट संख्या 195/6, 195/3 की पूर्वी सीमा से गुजरती है फिर प्लॉट संख्या 195/3, 195/4 की दक्षिणी, प्लॉट संख्या 373/3,

- 373/4 की पूर्वी, प्लॉट संख्या 114/1, 114/6, 114/5, 114/4, 113, 110 के दक्षिणी, प्लॉट संख्या 109 की पूर्वी और दक्षिणी, प्लॉट संख्या 80, 81 की पूर्वी, प्लॉट संख्या 81, 82, 83, 84 की दक्षिणी सीमा से गुजरती है उसके बाद प्लॉट संख्या 68/9, 68/5 की पूर्वी सीमा से होती हुई ग्राम भिलाई बाजार-मुड़ियानार की सम्मिलित सीमा में बिन्दु "फ" पर मिलती है।
- फ-ब रेखा ग्राम भिलाई बाजार-मुड़ियानार की सम्मिलित सीमा से होती हुई बिन्दु "ब" पर मिलती है।
- ब-भ-म रेखा ग्राम भिलाई बाजार-रलिया की सम्मिलित सीमा और बिन्दु "भ" से गुजरती हुई बिन्दु "म" पर मिलती है।
- म-म। रेखा ग्राम रलिया के प्लॉट संख्या 210/4, 213, 212 की दक्षिणी सीमा, फिर प्लॉट संख्या 233, 231 से होकर प्लॉट संख्या 226, 225 की दक्षिणी सीमा और प्लॉट संख्या 198 से होकर प्लॉट संख्या 198/5घ, 194, 38/2, 38/6 की दक्षिणी सीमा तथा प्लॉट संख्या 38/1 से होकर प्लॉट संख्या 35, 36 की दक्षिणी सीमा और प्लॉट संख्या 34, 33, 32.16 से गुजरती है फिर प्लॉट संख्या 18 की दक्षिणी सीमा और प्लॉट संख्या 16 से गुजरती हुई ग्राम रलिया-आमगाँव के सम्मिलित सीमा पर बिन्दु "म।" पर मिलती है।
- म।-य रेखा ग्राम आमगाँव-सरईसिंगर की सम्मिलित सीमा से होती हुई बिन्दु "य" पर मिलती है।
- य-क रेखा ग्राम आमगाँव के प्लॉट संख्या 616, 617/1, 617/2, 454/1, 605, 604/2, 601/3, 600-601/2, 598/2, 598/1 की पश्चिमी फिर प्लॉट संख्या 598/1 की उत्तरी सीमा से गुजरती हुई आरंभिक बिन्दु "क" पर मिलती है।

[फा.सं. 43015/9/2007-पीआरआईडब्ल्यू-1]

/ एम. शहाबुद्दीन, अवर सचिव

New Delhi, the 29th September, 2009

S.O. 2704.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 623 dated the 5th March, 2009, issued under sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part-II, Section 3, Sub-section (ii) dated the 14th March, 2009, the Central Government gave notice of its intention to acquire 257.017 hectares or 635.089 Acres land and rights in the locality specified in the Schedule appended to that notification;

And whereas, the Competent authority, in pursuance of Section 8 of the said Act, has made his report to the Central Government;

And whereas, the Central Government after considering the aforesaid report and after re-consulting the Government of Chhattisgarh, is satisfied that the lands measuring 257.017 hectares (approximately) or 635.089 acres (approximately) described in the Schedule appended hereto, should be acquired;

Now therefore, in exercise of the powers conferred by sub section (1) of Section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby declares that the land measuring 257.017 hectares (approximately) or 635.089 acres (approximately) as all rights in or over such lands as described in the Schedule are hereby acquired.

The Plan bearing number SECL/BSP/GM/(PLG)/LAND/343 dated 17th June, 2009 of the area covered by this notification may be inspected in the Office of the Collector, Korba (Chhattisgarh) or in the office of the Coal Controller, 1 Council House Street, Kolkata - 700001 or in the Office of the South Eastern Coalfield Limited (Revenue Section) Seepat Road, Bilaspur-495006 (Chhattisgarh);

SCHEDULE

Pondi Block 1st Extension (Gevra Extension),
Gevra Area District - Korba, Chhattisgarh

(Plan number SECL BSP GM (PLG)/LAND/343 dated the 17th June, 2009)

ALL RIGHTS:

| Sl. No. | Name of village | Khewat Number | Patwari Halka Number | Tahsil | District | Area in hectares | Rem. |
|---------|-----------------|---------------|----------------------|----------|----------|------------------|------|
| 1. | Amgaon | 36 | 12 | Katghora | Korba | 32.599 | Part |
| 2. | Ralia | 34 | 20 | Katghora | Korba | 73.745 | Part |
| 3. | Bahanpat | 30 | 20 | Katghora | Korba | 24.823 | Part |
| 4. | Bhathora | 29 | 20 | Katghora | Korba | 55.828 | Part |
| 5. | Bhilaibazar | 31 | 19 | Katghora | Korba | 70.022 | Part |

Total :- 257.017 hectares (Approximately)
or 635.089 acres (Approximately)

(1) Plot Numbers acquired in village Amgoan (part):- 438/1 to 438/3, 439/1, 439/2, 440, 441/1 to 441/3, 442/1 to 442/9, 443/1, 443/2, 444/1 to 444/4, 445/10 to 445/13, 446 to 448, 449/1 to 449/4, 450, 451/1 to 451/5, 452, 453/1, 453/2, 454/1, 454/3, 455/1, 455/2, 456, 457/1 to 457/3, 458 to 460, 461/1 to 461/5, 462, 598/1 to 598/4, 599, 600, 601(P), 602/1, 602/2, 603, 604/1, 604/2, 605, 616, 617/1, 617/2, 618, 619, 620, 621/1 to 621/5, 622, 623/1 to 623/9, 624 to 629, 630/1 to 630/8, 631/1, 631/2, 632/1 to 632/3, 633/1, 633/2, 633/3k, 633/3kh, 633/4, 633/5, 648/1(P), 648/2, 648/3, 648/4, 648/4K, 648/5 to 648/14.

(2) Plot Numbers acquired in village Ralia (part): - 6/1 to 6/4, 14/1 to 14/38, 15/1 to 15/3, 16/1(P), 16/2 to 16/7, 18/1 to 18/4, 19, 20/1 to 20/3, 25, 32/1(P), 32/2 to 32/11, 33, 35/1, 35/2, 36, 37, 38/1(P), 38/2 to 38/6, 194 to 197, 198(P), 210(P), 211/1 to 211/3, 212, 213, 220, 221, 224/1, 224/2, 225/1 to 225/3, 226, 227, 231(P), 233(P), 234, 235.

(3) Plot Numbers acquired in village Bahanpat (part):- 77/1 to 77/17, 78/1, 78/2, 79/1 to 79/4, 80 to 82, 83/1, 83/2, 84/1 to 84/14, 280/1 to 280/12, 281/1, 281/2, 282, 283/1 to 283/9, 284/1 to 284/9, 285, 286/1 to 286/7, 287, 288/1 to 288/15, 289/1, 289/2, 290, 291/1, 291/2, 292, 293/1 to 293/5, 294 to 296, 297/1 to 297/4, 298, 299, 300/1 to 300/12, 301/1 to 301/14, 302, 303/1 to 303/8, 311/1 to 311/9, 337, 338/1 to 338/4, 339, 340/1 to 340/16, 341, 342/1, 342/2, 343 to 345, 346/1 to 346/7, 347 to 352, 353/1 to 353/4, 354, 355/1 to 355/5, 356/1, 356/2, 357/1 to 357/20, 358 to 362, 363/1, 363/2, 364/1, 364/2, 365/1 to 365/4, 366/1 to 366/4, 366/5k, 366/5kh, 366/5g, 366/5gh, 366/5ang, 366/5ch, 366/5chh, 366/5j, 366/6 to 366/17, 367/1 to 367/3, 368 to 371, 372/1, 372/2, 373/1 to 373/4.

(4) Plot Numbers acquired in village Bhathora (part):- 116(P), 153/1 to 153/7, 154/1, 154/2, 155/1 to 155/4, 156, 157, 158/1 to 158/8, 159/1 to 159/4, 160/1, to 160/4, 161 to 164, 165/1, 165/2, 166, 167, 168/1 to 168/4, 169/1, 169/2, 170, 171/1 to 171/4, 172/1, 172/2, 173, 174/1 to 174/4, 175/1 to 175/3, 176/1 to 176/3, 177/1 to 177/3, 178/1 to 178/3, 179, 180/1, 180/2, 181 to 191, 192/1, 192/2, 193/1 to 193/5, 194/1 to 194/4, 195/1, 195/2, 196/1, 196/2, 197, 198, 199/1 to 199/6, 200, 201, 202/1 to 202/6, 203/1 to 203/3, 204/1 to 204/4, 205/1, 205/2, 206/1, 206/2, 207, 208/1 to 208/7, 209/1, 209/2, 210, 211/1, 211/2, 212/1, 212/2, 213/1, 213/2, 214, 215/1 to 215/4, 216, 217, 218/1 to 218/3, 219 to 221, 222/1 to 222/7, 223/1 to 223/3, 224, 225/1, 225/2, 226 to 231, 232/1, 232/2, 233, 234/1 to 234/6, 235, 236, 237/1 to 237/3, 238/1 k, 238/1 kh, 238/1 g, 238/1 gh, 238/1 anga, 239/1, 239/2, 240 to 243, 244/1 to 244/3, 245, 246/1, 246/2, 247, 248/1, 248/2, 249, 250/1 to 250/5, 251, 252/1 to 252/7, 253, 254, 255/1, 255/2, 256/1, 256/2, 257, 258, 259(P), 260(P), 261(P), 272(P), 273/1 to 273/6, 274, 275, 276(P), 277(P), 278/1 to 278/5, 279, 280/1, 280/2, 281/1, 281/2, 282, 283, 284/1, 284/2, 285/1 to 285/3, 286, 287/1 to 287/3,

288, 289(P), 305(P), 306 to 308, 309/1 to 309/4, 310 to 312, 313/1, 313/2, 314 to 316, 317/1 to 317/3, 318/1 to 318/3, 319/1 to 319/3, 320, 321, 322/1 to 322/5, 323, 324/1, 324/2, 325 to 328, 329/1, 329/2, 330/1 to 330/4, 331/1 to 331/4, 332, 333/1 to 333/5, 334/1 to 334/5, 335, 336, 337/1 to 337/4, 338, 339/1 to 339/8, 340 to 343, 344/1, 344/2, 345, 346/1, 346/2, 347/1 to 347/3, 348, 349(P), 350, 351, 352(P), 353(P), 354(P), 355 to 358, 359(P), 360/1, 360/2, 361 to 364, 365/1 to 365/5, 366 to 369, 370/1 to 370/5, 371/1, 372, 373/1 to 373/4, 374/1 to 374/9, 375(P), 376, 377, 378(P), 393(P), 394(P), 395, 396/1, 396/2, 397, 398/1 to 398/3, 399/1 to 399/3, 400, 401, 402(P), 403(P), 404(P), 405/1, 405/2, 406(P), 407(P), 412(P), 413(P), 414(P), 432(P), 433, 434, 435/1 to 435/5, 436/1, 436/2, 437/1, 438(P), 439, 440, 441/1, 441/2, 442/1 to 442/11, 443(P), 444(P), 466(P), 467(P), 469(P), 470(P).

(5) Plot Numbers acquired in village Bhilaibazar (part): 1, 2/1, 2/2, 3 to 6, 7/1, 7/2, 8, 9/1 to 9/4, 10, 11/1, 11/2, 12 to 15, 16/1 to 16/4, 17, 18/1, 18/2, 19/1, 19/2, 20/1 to 20/4, 21 to 24, 25/1, 25/2, 26/1, 26/2, 27 to 31, 32/1, 32/2, 33 to 51, 52/1 to 52/12, 53 to 57, 58/1 to 58/5, 59/1, 59/2, 60/1, 60/2, 61/1, 61/2, 62/1, 62/2, 63 to 65, 66/1, 66/2, 67/1 to 67/3, 68/1 to 68/22, 69 to 71, 72/1, 72/2, 73, 74/1 to 74/4, 75/1, 75/2, 76, 77/1 to 77/4, 78/1, 78/2, 79/1 to 79/4, 80, 81, 82/1 to 82/4, 83/1, 83/2, 84/1, 84/2, 106/1 to 106/8, 107/1 to 107/5, 108, 109, 110/1 to 110/17, 111/1, 111/2, 112/1 to 112/3, 113/1, 113/2, 114/1, 114/4 to 114/7, 115/1, 115/2, 195/1, 195/2k, 195/2kh, 195/2g, 195/3 to 195/12, 196/1, 196/2, 197/1, 197/2, 198/1, 198/2, 199, 200/1k, 200/1kh, 200/2 to 200/14, 201 to 203, 206 to 217, 218/1, 218/2, 219, 220/1 to 220/3, 221, 222, 240 to 246, 247/1, 247/2, 248/1, 248/2, 249/1 to 249/3, 250/1 to 250/5, 251/1, 251/2, 252 to 254, 255/1, 255/2, 256 to 258, 259/1, 259/2, 260/1 to 260/3, 261 to 263, 264/1 to 264/3, 265 to 267, 268/1 to 268/3, 269/1 to 269/4, 270/1 to 270/5, 271/1 to 271/4, 272.

Boundary Description

- A-B Line starts from point 'A' in Village Amgoan and passes along eastern boundary of plot number 598/1, 599, 600-601/2, 601/3, then northern boundary of plot number 602, 603, 461, 445/2, 439, eastern boundary of plot number 438, 441/2, northern boundary of plot number 630/2, 630/1, 633/2, 633/1, 648/1 and meets at point 'B' on the common boundary of village Amgoan - Ralia.
- B-C Lines passes along common boundary of villages Amgoan - Ralia and meets at point 'C'.
- C-D Line passes along the northern boundary of plots number 6/1, 6/2, 14, 15, 20, 25, 32/4, 32/2 and meets at point 'D' in village Ralia.

| | | | |
|---------|--|-------|---|
| D-E-F | Line passes along western boundary of plot number 33, point 'E', through plot number 38/1 and meets at point 'F'. | U-V | Line passes in village Bhilaibazar along the southern boundary of plot number 272, through plot number 266, eastern boundary of plot number 240, 241 then southern boundary of plot number 241, 242, 247/1, 247/2, 248/2, eastern boundary of plot number 220/1, 221, 222, then southern boundary of plot number 222, eastern boundary of plot number 206, 203, southern boundary of plot number 203, 202, eastern boundary of plot number 195/6, 195/3 southern boundary of plot number 195/3, 195/4, eastern boundary of plot number 373/3, 373/4, southern boundary of plot number 114/1, 114/6, 114/5, 144/4 113, 110, eastern and southern boundary of plot number 109, eastern boundary of plot number 80, 81, southern boundary of plot number 81, 82, 83, 84, eastern boundary of plot number 68/9, 68/5 and meets at point 'V' on the common boundary of villages Bhilaibazar-Mudiyanar. |
| F-G-H-I | Line passes along eastern boundary of plot number 38/1, point 'G', southern boundary of plot number 38/1, point 'H', eastern boundary of plot number 38/1, 38/2 and meets at point 'I' in the village Ralia. | V-W | Line passes along the common boundary of villages Bhilaibazar-Mudiyanar and meets at point 'W'. |
| I-J | Line passes along northern boundary of plot number 195, 196, 197, 198/5k, 198P, 224, 226, 231, 221, 220, 211, western boundary of plot number 210 and meets at point 'J' on the common boundary of villages Ralia-Bhilaibazar. | W-X-Y | Line passes along the common boundary of villages Bhilaibazar-Ralia, point X and meets at point 'Y'. |
| J-K | Line passes along common boundary of villages Ralia-Bhilaibazar and meets at point 'K'. | Y-Y1 | Line passes in village Ralia along southern boundary of plot number 210/4, 213, 212, through plot number 233, 231 then southern boundary of plot number 226, 225, through plot number 198 then southern boundary of plot number 198/5 gh, 194, 38/2, 38/6, through plot number 38/1, southern boundary of plot number 35, 36, through plot number 34, 33, 32, 16 then southern boundary of plot number 18 after that through plot number 16 and meets at point 'Y1' on the common boundary of villages Ralia-Amgaon. |
| K-L | Line passes along common boundary of villages Pondi-Bhilaibazar and meets at point 'L'. | Y1-Z | Line passes along common boundary of villages Saraingar-Amgaon and meet at point 'Z'. |
| L-M | Line passes along common boundary of villages Pondi-Bahanpath and meets at point 'M'. | Z-A | Line passes in village Amgaon along western boundary of plot number 616, 617/1, 617/2, 454/1, 605, 604/2, 601/3, 600-601/2, 598/2, 598/1 then along northern boundary of plot number 598/1 and meets at starting point 'A'. |
| M-N | Line passes along northern boundary of plot number 77, 79/1, 83, 84, 288, 286, 280/4, 303/2, 311/1, 311/2, 311/3, 337, 338/1, 338/3, 339, 340 and meets at point 'N' on the common boundary of villages Bhathora-Bahanpath. | | |
| N-O | Line passes along common boundary of village Bhathora-Bhilaibazar and meets at point 'O'. | | |
| O-P-Q | Line passes in village Bhathora along western boundary of plot number 153/2, northern boundary of plot number 153/2, 153/1, western boundary of plot number 156, 157, 116 and meets at point 'Q'. | | |
| Q-R | Line passes in village Bhathora through plot number 116, 261, 260/2, 260/1, 259/7kh, 272, 276 northern boundary of plot number 275 through plot number 272/2, 289, 375, 378, 393, 394, 414 and meets at point 'R'. | | |
| R-S-T | Line passes in village Bhathora through plot number 414, 413, 402, 403, 404, 407, 406/1, 406/2, 359, 354, 349, 347, 348, point 'S', 350-351, 352, 353 northern boundary of plot number 433, 434 through plot number 438, 443, 444, 466, 467, 469, 470 and meets at point 'T' on the common boundary of village Bhilaibazar-Bhathora. | | |
| T-U | Line passes along common boundary of villages Bhilaibazar-Bhathora and meets at point 'U'. | | |

[F. No. 43015/9/2007-PRIW-1]

M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2705.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके अन्तर्गत उक्त अधिनियम कहा गया है) की धारा 4 की उप-धारा (1) के अधीन भारत सरकार में कोयला मंत्रालय के द्वारा जारी की गई अधिसूचना संख्या का.आ. 273 तारीख 29 जनवरी, 2009 जो भारत के राजपत्र भाग II, खण्ड 3, उप-खण्ड (ii), तारीख 7 फरवरी, 2009 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 292.00 हेक्टर (लगभग) या 721.532 एकड़ (लगभग) है, कोयले का पूर्वोक्त करने के अपने आशय की सूचना दी थी;

और केन्द्रीय सरकार को यह समाधान हो गया है कि इस अधिसूचना में संलग्न अनुसूची में कोयला अभिप्राप्त है;

अतः केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 7 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इससे संलग्न अनुसूची में वर्णित 291.285 हेक्टर (लगभग) या 719.77 एकड़ (लगभग) माप की उक्त भूमि का अर्जन करने के अपने आशय की सूचना देती है;

टिप्पण 1 : इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक सं. एसईसीएल/बी.एस.पी./जी.एम. (पीएलजी)/लैंड/348 तारीख 4-7-2009 का निरीक्षण कलेक्टर, जिला कोरबा (छत्तीसगढ़) के कार्यालय में या कोयला नियंत्रक, 1, कार्डसिल हाउस स्ट्रीट, कोलकाता-700001 के कार्यालय में या साउथ ईस्टर्न कोल फील्ड्स लिमिटेड, (राजस्व अनुभाग) सीपत रोड, बिलासपुर-495001 (छत्तीसगढ़) के कार्यालय में किया जा सकता है।

टिप्पण 2 : कोयला धारक क्षेत्र (अर्जन और विकास), अधिनियम, 1957 (1957 का 20) की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध हैं;

अर्जन के बाबत आपत्तियाँ :

“8(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7(1) के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

स्पष्टीकरण :—

(1) इस धारा के अन्तर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन सक्रियाएं करना चाहता है और ऐसी सक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।

(2) उप-धारा (1) के अधीन प्रत्येक आपत्ति सक्षम अधिकारी को लिखित रूप में की जाएगी और सक्षम अधिकारी, आपत्तिकर्ता

को स्वयं सुने जाने, विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जांच, यदि कोई हो, करने के पश्चात्, जो वह आवश्यक समझता है, वह या तो धारा 7 की उप-धारा (1) के अधीन अधिसूचित भूमि का या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़े या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।

(3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होगा, यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते हैं”।

टिप्पण 3 : केन्द्रीय सरकार ने कोयला नियंत्रक, 1, कार्डसिल हाउस स्ट्रीट, कोलकाता-700001 को उक्त अधिनियम की धारा 3 के अधीन भारत के राजपत्र भाग II, खण्ड 3, उप-खण्ड (ii) में 4 अप्रैल, 1987 में प्रकाशित अधिसूचना सं. का.आ. 905, तारीख 20 मार्च, 1987 द्वारा सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची

पोंडी ब्लॉक दूसरा विस्तार, गेवरा क्षेत्र

जिला कोरबा (छत्तीसगढ़)

(रेखांक संख्या एसईसीएल/बीएसपी/जीएम (पीएलजी)/भूमि/348 तारीख 4 जुलाई, 2009)

सभी अधिकार :—

(क) राजस्व भूमि :

| क्रम सं. | ग्राम नाम | पटवारी हल्का संख्या | खेवट संख्या | तहसील | जिला | क्षेत्र हेक्टर में | टिप्पण |
|----------|-----------|---------------------|-------------|-------|------|--------------------|--------|
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|----|--------|----|----|-------|-------|---------|-----|
| 1. | भठोरा | 20 | 29 | दिपका | कोरबा | 39.992 | भाग |
| 2. | नरईबोध | 20 | 90 | दिपका | कोरबा | 201.091 | भाग |

कुल क्षेत्र : 241.083 हेक्टर (लगभग) या 595.72 एकड़ (लगभग)

(ख) राजस्व वन भूमि :

| क्रम सं. | ग्राम नाम | पटवारी हल्का संख्या | खेवट संख्या | तहसील | जिला | क्षेत्र हेक्टर में | टिप्पण |
|----------|-----------|---------------------|-------------|-------|------|--------------------|--------|
|----------|-----------|---------------------|-------------|-------|------|--------------------|--------|

| | | | | | | | |
|----|--------|----|----|-------|-------|--------|-----|
| 1. | नरईबोध | 20 | 90 | दिपका | कोरबा | 50.202 | भाग |
|----|--------|----|----|-------|-------|--------|-----|

कुल क्षेत्र : 50.202 हेक्टर (लगभग) या 124.05 एकड़ (लगभग)

कुल योग (क+ख) :—291.285 हेक्टर (लगभग)

या 719.77 एकड़ (लगभग)

1. ग्राम भठोरा (भाग) में अर्जित किए जाने वाले प्लॉट संख्या : 1, 2 (भाग), 3 (भाग), 9 (भाग), 11 (भाग), 12 से 21, 22/1 (भाग), 22/2 (भाग), 23 (भाग), 24 (भाग), 25, 26 (भाग), 27 (भाग), 29 (भाग), 30, 31, 32, 33 (भाग), 34 (भाग), 40 (भाग), 116 (भाग), 259 (भाग), 260 (भाग), 261 (भाग), 262/1, 262/2, 262/3क, 262/3ख, 262/4 से 262/11, 263/1 से 263/7, 264 से 267, 268/1 से 268/7, 268/8क, 268/8ख, 268/9, 269, 270/1 से 270/7, 271, 272 (भाग), 276 (भाग), 277 (भाग), 289, 290/1, 290/2, 291 से 295, 296/1क, 296/1ख, 296/1ग, 296/1घ, 296/2, 297/1, 297/2, 298/1, 298/2, 299, 300, 301, 302, 303, 304/1, 304/2, 305 (भाग), 349 (भाग), 350, 351, 352 (भाग), 353 (भाग), 354 (भाग), 359 (भाग), 375 (भाग), 378 (भाग), 379 से 382, 383/1, 383/2, 384/1 से 384/3, 385/1 से 385/3, 386, 387, 388/1 से 388/4, 389/1 से 389/5, 390 से 392, 393 (भाग), 394 (भाग), 402 (भाग), 403 (भाग), 404 (भाग), 406 (भाग), 407 (भाग), 408, 409/1 से 409/3, 410/1 से 410/3, 411, 412 (भाग), 413 (भाग), 414 (भाग), 415, 416/1, 416/2, 417, 418/1, 418/2, 419, 420/1, 420/2, 421/1 से 421/3, 422/1, 422/2, 423 से 431, 432 (भाग), 437 (भाग), 438 (भाग), 443 (भाग), 444 (भाग), 445, 446/1, 446/2, 447/1 से 447/3, 448, 449/1, 449/2, 450, 451/1, 451/2, 452 से 457, 458/1, 458/2, 459, 460/1, 460/2, 461/1, 461/2, 461/3, 462 से 465, 466 (भाग), 467 (भाग), 468, 469 (भाग), 470 (भाग)।

2. भाग नरईबोध (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :—1/1 1/25, 2/1 से 2/4, 3/1 से 3/6, 4/1 से 4/5, 5/1 5/2, 6/1 से 6/5, 7/1 से 7/3, 8, 9/1 से 9/7, 10/1, 10/2, 10/3, 11/1 से 11/10, 12, 13/1 (भाग), 13/2 से 13/14, 14/1, 15/1 (भाग), 16/1 से 16/10, 17/1 से 17/7, 18/1, 18/2, 19/1, 19/2, 19/3, 20/1 से 20/4, 21, 22/1 से 22/12, 23/1, 23/2, 24/1, 24/2, 25/1 से 25/5, 26/1 से 26/4, 27, 28, 29/1, 29/2, 30, 31/1 से 31/11, 32/1 से 32/4, 32/5क, 32/5ख, 32/6, 33 से 38, 39/1, 39/2, 39/3, 40/1 से 40/4, 41/1 से 41/6, 42/1 से 42/5, 43/1 से 43/3, 44/1, 44/2, 45/1, 45/2, 46, 47/1, 47/2, 48, 49, 50, 51, 52/1, 52/2, 53/1, 53/2, 54/1 से 54/5, 55/1, 55/2, 56/1, 56/2, 57 से 62, 63/1, 63/2, 64 से 71, 72/1, 72/2, 73/1, 73/2, 74, 75, 76, 77/1 से 77/4, 78/1 से 78/19, 79/1, 79/2, 80/1 से 80/4, 81/1, 81/2, 82/1, 82/2, 83 से 88, 89/1 से 89/5, 90, 91, 92/1, 92/2, 93, 94/1, 94/2, 94/3, 95/1, 95/2, 96, 97, 98/1, 98/2, 99/1, 99/2, 100/1 से 100/23, 101/1 से 101/5, 102/1, 102/2, 103/1, 103/2, 103/3, 104/1 से 104/6, 105/1 से 105/5, 106/1 से 106/5, 107/1, 107/2, 108/1, 108/2, 109/1 से 109/5, 110/1 से 110/6, 111/1 से 111/3, 112/1 से 112/4, 113, 114/1 से 114/12, 115, 116/1 से 116/10, 117/1 से 117/5, 118/1 से 118/6, 119/1, 119/2, 119/3, 120/1 से 120/8, 121/1, 121/2, 122/1 से 122/4, 123/1 से 123/7, 124/1क, 124/1ख, 124/1ग, 124/1घ, 124/2क/1, 124/2क/2, 124/2क/3, 124/2ख/1,

124/2ख/2, 124/2ख/3, 124/2ग/1, 124/2ग/2, 124/2ग/3, 124/2घ/1 से 124/2घ/7, 124/2ङ/1 से 124/2ङ/4, 125, 126, 127/1 से 127/17, 128/1 से 128/3, 129, 130/1, 130/2, 131/1 से 131/9, 132, 133/1 से 133/4, 134, 135/1 से 135/4, 136, 137/1 से 137/11, 138, 139/1, 139/2, 139/3, 140/1 से 140/9, 141, 142/1, 142/2, 143/1, 143/2, 143/3, 144/1 से 144/8, 145/1 से 145/6, 146, 147, 148/1 से 148/3, 149 से 153, 154/1, 154/2, 155/1, 155/2, 155/3, 156, 157/1, 157/2, 157/3, 158, 159, 160, 161/1, 161/2, 162/1, 162/2, 163, 164/1, 164/2, 165, 166, 167/1, 167/2, 168, 169/1, 169/2, 170/1, 170/2, 170/3, 171, 172, 173, 174/1, 174/2, 175, 176/1, 176/5, 177, 178/1 से 178/4, 179, 180, 181/1, 181/2, 182 से 194, 195/1 से 195/7, 196/1, 196/2, 197/1 से 197/6, 198, 199/1 से 199/4, 200/1 से 200/4, 201/1 से 201/3, 202, 203, 204, 205/1 से 205/5, 206 से 211, 212/1 से 212/5, 213, 214/1, 214/2, 215, 216, 217/1, 217/2, 218/1, 218/2, 219/1 से 219/5, 220/1, 220/2, 220/3, 221/1 से 221/17, 222, 223/1, 223/2, 224/1, 224/2, 225, 226/1 से 226/18, 227/1, 227/2, 228 से 231, 232/1 से 232/5, 233, 234, 235/1, 235/2, 235/3, 236/1 से 236/7, 237/1 से 237/10, 238/1 से 238/4, 239/1 से 239/4, 240/1 से 240/8, 241/1, 241/2, 242/1 से 242/3, 243/1, 243/2, 243/3, 244/1, 244/2, 245/1, 245/2, 246/1 से 246/8, 247/1 से 247/7, 248, 249/1 से 249/5, 250, 251, 252/1, 252/2, 252/3, 253/1, 253/2, 254/1, 254/2, 255/1, 255/2, 255/3, 256/1, 256/2, 256/3, 257/1, 257/2, 258, 259, 260/1, 260/2, 261, 262/1, 262/2, 262/3, 263, 264, 265, 266/1, 266/2, 267, 268, 269/1, 269/2, 269/3, 270, 271/1, 271/2, 271/3, 272/1 से 272/4, 273/1, 273/2, 274, 275, 276/1, 276/2, 277, 278/1, 278/2, 279, 280, 281/1, 281/2, 282, 283/1, 283/2, 283/3, 284/1 से 284/4, 285, 286, 287/1 से 287/5, 288/1, 288/2, 289, 290/1, 290/2, 291/1, 291/2, 292/1 से 292/5, 293, 294/1, 294/2, 295/1 से 295/4, 296/1 से 296/11, 297/1 से 297/4, 298/1 से 298/5, 299/1, 299/2, 300/1, 300/2, 300/3, 301/1, 301/2, 301/3, 302 से 305, 306/1, 306/2, 307, 308/1, 308/2, 309/1 से 309/7, 310/1, 310/2, 311, 312/1 से 312/6, 313/1 से 313/7, 314/1 से 314/4, 315/1 से 315/7, 316, 317/1 से 317/6, 318, 319, 320, 321/1 से 321/7, 322, 323/1 से 323/4, 324/1 से 324/9, 325/1 से 325/4, 326/1, 326/2, 326/3, 327/1, 327/2, 328, 329/1, 329/2, 330/1, 330/2, 330/3, 331 से 333, 334/1 से 334/5, 335/1, 335/2, 336, 337/1 से 337/5, 338/1 से 338/5, 339 से 342, 343/1, 343/2, 343/3, 344, 345/1, 345/2, 346/1, 346/2, 347/1, 347/2, 348 से 350, 351/1 से 351/7, 352/1, 352/2, 353/1 से 353/4, 354/1, 354/2, 355/1, 355/2, 356, 357/1 से 357/4, 358, 359, 360/1 से 360/4, 361/1, 361/2, 362 से 367, 368/1, 368/2, 369, 370/1 से 370/6, 371, 372/1, 372/2, 373, 374, 375, 376/1, 376/2, 376/3, 377, 378, 379, 380/1, 380/2, 381, 382/1 से 382/4, 383/1, 383/2, 384 से 388, 389/1, 389/2, 390, 391, 392, 393/1, 393/2, 393/3, 394, 395,

396/1 से 396/8, 397/1, 397/2, 398/1, 398/2, 399/1 से 399/5, 400/1, 400/2, 400/3, 401/1 से 401/11, 402/1, 402/2, 403, 404/1 से 404/4, 405, 406, 407, 408/1 से 408/5, 409/1, 409/2, 409/3, 410, 411/1, 411/2, 412/1, 412/2, 412/3, 413/1, 413/2, 414/1 से 414/13, 415/1 से 415/11, 416/1, 416/2, 417/1, 417/2, 418/1 से 418/18, 419/1 से 419/5, 420, 421, 422/1 से 422/3, 422/4क, 422/4ख, 422/5 से 422/41, 422/42क, 422/42ख, 422/43, 422/44, 423/1 से 423/5, 424, 425/1 से 425/10, 426/1 से 426/14, 427, 428, 429/1, 429/2, 429/3, 430/1 से 430/45, 431/1 से 431/5, 432/1, 432/2, 433/1, 433/2, 434/1 से 434/4, 435/1 से 435/7, 436/1 से 436/9, 437/1 से 437/3, 438/1 से 438/5, 439/1, 439/2क, 439/2ख, 439/3 से 439/5, 440/1 से 440/4, 441/1 से 441/4, 442/1, 442/2, 442/3, 443/1 से 443/6, 444/1 से 444/11, 445/1 से 445/5, 446/1 से 446/5, 447/1 से 447/5, 448/1, 448/2, 449/1 से 449/6, 450, 451/1, 451/2, 452, 453, 454/1, 454/2क, 454/2ख, 454/3, 454/4, 454/5क, 454/5ख, 454/5ग, 455/1 से 455/4, 455/5क, 455/5ख, 455/6, 456/1, 456/2, 457/1 से 457/6, 458/1, 458/2, 458/3, 459/1 से 459/6, 460, 461/1 से 461/4, 462/1, 462/2, 462/3, 463/1, 463/2, 464/1, 464/2, 465, 466/1 से 466/12, 467/1, 467/2, 467/3, 468/1 से 468/4, 469/1 से 469/5, 470/1, 470/2, 471/1, 471/2, 471/3, 472/1 से 472/4, 473, 474/1 से 474/4, 475/1 से 475/8, 476, 477, 478, 479/1 से 479/6, 480/1, 480/2, 481, 482, 483/1 से 483/7, 484, 485/1, 485/2, 486, 487, 488/1, 488/2, 489/1 से 489/6, 490 से 497, 498/1 से 498/6, 499/1 से 499/4, 500/1 से 500/6, 501/1 से 501/4, 502/1 से 502/6, 503, 504/1 से 504/6, 505/1, 505/2, 506/1 से 506/5, 507/1, 507/2, 508/1, 508/2, 508/3, 509/1 से 509/5, 510/1 से 510/4, 511/1, 511/2, 512/1, 512/2, 513, 514/1 से 514/4, 515/1, 515/2, 515/3, 516/1 से 516/8, 517/1, 517/2, 517/3, 517/4क, 517/4ख, 517/4ग, 518/1, 518/2, 519/1 से 519/5, 520, 521, 522/1 से 522/4, 523, 524, 525/1, 525/2, 526/1, 526/2, 527/1, 527/2, 528/1, 528/2, 529, 530, 531/1, 531/2, 531/3, 532, 533/1 से 533/7.

सीमा वर्णन :

- क-ख** रेखा बिन्दु “क” से आरंभ होती है और ग्राम मनगांव-नरईबोध के सम्मिलित सीमा से होती हुई बिन्दु “ख” पर मिलती है।
- ख-ग-घ** रेखा ग्राम नरईबोध के प्लॉट संख्या 3/1 तथा बिन्दु “ग” से होती हुई बिन्दु “घ” पर मिलती है।
- घ-ङ-च** रेखा ग्राम नरईबोध के प्लॉट संख्या 13/3 के दक्षिणी, प्लॉट संख्या 13/6 के उत्तरी सीमा, बिन्दु “ङ” से गुजरती है फिर प्लॉट संख्या 8/1क, 15 से होती हुई ग्राम नरईबोध - मनगांव के सम्मिलित सीमा में बिन्दु “च” पर मिलती है।

च-छ-ज रेखा ग्राम मनगांव -नरईबोध, गेवरा-नरईबोध के भागतः सम्मिलित सीमा तथा बिन्दु “छ” से गुजरती हुई बिन्दु “ज” पर मिलती है।

ज-झ-ज-ट रेखा ग्राम नरईबोध-गेवरा, नरईबोध-पंडरीपानी, नरईबोध-बरभाटा के सम्मिलित सीमा तथा बिन्दु “झ” बिन्दु “ज” से होती हुई ग्राम नरईबोध-बरभाटा के सम्मिलित सीमा में बिन्दु “ट” पर मिलती है।

ट-ठ रेखा ग्राम भठोरा के प्लॉट संख्या 470 के दक्षिणी सीमा तथा प्लॉट संख्या 468, 467, 466, 444/3, 443/1, 438/2, 441, 438/1 से गुजरती है फिर प्लॉट संख्या 432-437/2 के दक्षिणी सीमा तथा प्लॉट संख्या 353, 350-351-352 से होती हुई बिन्दु “ठ” पर मिलती है।

ठ-ड रेखा ग्राम भठोरा के प्लॉट संख्या 347-348 के पूर्वी सीमा तथा प्लॉट संख्या 349, 354, 359, 406/2, 406/1, 407, 404, 403, 402, 413, 414 से गुजरती बिन्दु “ड” पर मिलती है।

ड-ढ रेखा ग्राम भठोरा के प्लॉट संख्या 414, 394, 393, 378/1, 378/2, 375, 374, 289/1, -305, 277/2, 276, 272, 259/7ख, 260/2, 261, 22/1, 23-24-25, 26, 27, 29, 33/2, 34/2, 9, 11, 2/5, 2/7 से होती हुई ग्राम कोसमंडा - भठोरा के सम्मिलित सीमा में बिन्दु “ढ” पर मिलती है।

ढ-ण-त रेखा ग्राम कोसमंडा -भठोरा के सम्मिलित सीमा तथा बिन्दु “ण” से गुजरती हुई बिन्दु “त” पर मिलती है।

त-क रेखा ग्राम कोसमंडा- नरईबोध के सम्मिलित सीमा से गुजरती हुई आरंभिक बिन्दु “क” पर मिलती है।

[फा. सं. 43015/25/2008-पीआरआईडब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

New Delhi, the 29th September 2009

S.O. 2705.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 273 dated the 29th January, 2009 issued under sub-section (1) of Section -4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 or 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part-II, Section 3, sub-section (ii) dated the 7th February, 2009, the Central Government gave notice of its intention to prospect for coal in 292.00 hectares (approximately) or 721.532 acres (approximately) of the lands in the locality specified in the Schedule annexed to that notification:

And whereas, the Central Government is satisfied that coal is obtainable in a part of the said lands prescribed in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby gives notice of its intention to acquire the land measuring 291.285 hectares (approximately) or 719.77 acres (approximately) as All Rights in or over the said lands described in the Schedule appended hereto:

Note 1. The plan bearing number SECL/BSP/GM(PLG)/LAND/348 dated the 04-07-2009 of the area covered by this notification may be inspected in the office of the Collector, Korba (Chhattisgarh) or in the office of the Coal Controller, 1, Council House Street, Kolkata-700001 or in the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur-496006 (Chhattisgarh).

Note 2. Attention is hereby invited to the provisions of Section 8 of the said Act which provides as follows:-

Objection to Acquisition:

“8(1) Any person interested in any land in respect of which a notification under section 7(1) has been issued, may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or any rights in or over such land.

Explanation,-

(1) It shall not be an objection within the meaning of this section for any person to say that he himself desires to

undertake mining operation in the land for the production of coal and that such operation should not be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either makes a report in respect of the land which has been notified under sub-section (1) of Section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government.

(3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act.”

Note 3. The Coal Controller, 1, Council House Street, Kolkata, 700001, has been appointed by the Central Government as the competent authority under section 3 of the said Act, vide notification number S.O. 905, dated the 20th March, 1987, published in part II, Section 3, sub-section (ii) of the Gazette of India, dated the 4th April 1987.

SCHEDULE

**Pondi Block 2nd Expansion, Gevra Area
District Korba (Chhattisgarh)**

(Plan bearing number SECL/BSP/GM(PLG)/Land/348 dated the 4th July, 2009)

All Rights

(A) Revenue Land

| Sl No. | Name of village | Patwari halka Number | Khewat Number | Tehsil | District | Area in Hectares | Remarks |
|---|-----------------|----------------------|---------------|--------|----------|------------------|---------|
| 1. | Bhathora | 20 | 29 | Dipka | Korba | 39.992 | Part |
| 2. | Naraiboth | 20 | 90 | Dipka | Korba | 201.091 | Part |
| Total :- 241.083 Hectares (approximately) or 595.72 Acres (approximately) | | | | | | | |

(B) Revenue Forest Land (CJJ & BJJ)

| Sl No. | Name of village | Patwari halka Number | Khewat Number | Tehsil | District | Area in Hectares | Remarks |
|--|-----------------|----------------------|---------------|--------|----------|------------------|---------|
| 1. | Naraiboth | 20 | 90 | Dipka | Korba | 50.202 | Part |
| Total :- 50.202 Hectares (approximately) or 124.05 Acres (approximately) | | | | | | | |

**Grand Total (A+B) :- 291.285 Hectares (approximately)
or 719.77 Acres (approximately)**

1. Plot Numbers to be acquired in village Bhathor (Part):-

1, 2 (P), 3 (P), 9 (P), 11 (P), 12 से 21, 22/1 (P), 22/2 (P), 23 (P), 24 (P), 25, 26 (P), 27 (P), 29 (P), 30, 31, 32, 33 (P), 34 (P), 40 (P), 116 (P), 259 (P), 260 (P), 261 (P), 262/1, 262/2, 262/3k, 262/3kh, 262/4 to 262/11, 263/1 to 263/7, 264 to 267, 268/1 to 268/7, 268/8k, 268/8kh, 268/9, 269, 270/1 to 270/7, 271, 272 (P), 276 (P), 277 (P), 289, 290/1, 290/2, 291 to 295, 296/k, 296/1kh, 296/1g, 296/1gh, 296/2, 297/1, 297/2, 298/1, 298/2, 299, 300, 301, 302, 303, 304/1, 304/2, 305 (P), 349 (P), 350, 351, 352 (P), 353 (P), 354 (P), 359 (P), 375 (P), 378 (P), 379 to 382, 383/1, 383/2, 384/1 to 384/3, 385/1 to 385/3, 386, 387, 388/1 to 388/4, 389/1 to 389/5, 390 to 392, 393 (P), 394 (P), 402 (P), 403 (P), 404 (P), 406 (P), 407 (P), 408, 409/1 to 409/3, 410/1 to 410/3, 411, 412 (P), 413 (P), 414 (P), 415, 416/1, 416/2, 417, 418/1, 418/2, 419, 420/1, 420/2, 421/1 to 421/3, 422/1, 422/2, 423 to 431, 432 (P), 437 (P), 438 (P), 443 (P), 444 (P), 445, 446/1, 446/2, 447/1 to 447/3, 448, 449/1, 449/2, 450, 451/1, 451/2, 452 to 457, 458/1, 458/2, 459, 460/1, 460/2, 461/1, 461/2, 461/3, 462 to 465, 466 (P), 467 (P), 468, 469 (P), 470 (P).

2. Plot Numbers to be acquired in village Naraiboth (Part):-

1/1 to 1/25, 2/1 to 2/4, 3/1 to 3/6, 4/1 to 4/5, 5/1, 5/2, 6/1 to 6/5, 7/1 to 7/3, 8, 9/1 to 9/7, 10/1, 10/2, 10/3, 11/1 to 11/10, 12, 13, 1 (P) 13/2 to 13/14, 14/1, 15/1 (P) 16/1 to 16/10, 17/1 to 17/7, 18/1, 18/2, 19/1, 19/2, 19/3, 20/1 to 20/4, 21, 22/1 to 22/12, 23/1, 23/2, 24/1, 24/2, 25/1 to 25/5, 26/1 to 26/4, 27, 28, 29/1, 29/2, 30, 31/1 to 31/11, 32/1 to 32/4, 32/5k, 32/5kh, 32/6, 33 to 38, 39/1, 39/2, 39/3, 40/1 to 40/4, 41/1 to 41/6, 42/1 to 42/5, 43/1 to 43/3, 44/1, 44/2, 45/1, 45/2, 46, 47/1, 47/2, 48, 49, 50, 51, 52/1, 52/2, 53/1, 53/2, 54/1 to 54/5, 55/1, 55/2, 56/1, 56/2, 57, to 62, 63/1, 63/2, 64 to 71, 72/1, 72/2, 73/1, 73/2, 74, 75, 76, 77/1 to 77/4, 78/1 to 78/19, 79/1, 79/2, 80/1 to 80/4, 81/1, 81/2, 82/1, 82/2, 83 to 88, 89/1 to 89/5, 90, 91, 92/1, 92/2, 93, 94/1, 94/2, 94/3, 95/1, 95/2, 96, 97, 98/1, 98/2, 99/1, 99/2, 100/1 to 100/23, 101/1 to 101/5, 102/1, 102/2, 103/1, 103/2, 103/3, 104/1 to 104/6, 105/1 to 105/5, 106/1 to 106/5, 107/1, 107/2, 108/1, 108/2, 109/1 to 109/5, 110/1 to 110/6, 111/1 to 111/3, 112/1 to 112/4, 113, 114/1 to 114/12, 115, 116/1, 116/10, 117/1 to 117/5, 118/1 to 118/6, 119/1, 119/2, 119/3, 120/1 to 120/8, 121/1, 121/2, 122/1 to 122/4 to 123/1 to 123/7, 124/1k, 124/1kh, 124/1g, 124/1gh, 124/2k/1, 124/2k/2, 124/1k/3, 124/2kh/1, 124/2kh/2, 124/2kh/3, 124/2g/1, 124/2g/2, 124/2g/3, 124/2gh/1 to 124/2gh/7, 124/2anga/1 to 124/2 anga/4, 125, 126, 127/1 to 127/17, 128/1 to 128/3, 129, 130/1, 130/2, 131/1 to 131/9, 132, 133/1 to 133/4, 134, 135/1 to 135/4, 136, 137/1 to 137/11, 138, 139/1, 139/2, 139/3, 140/1 to 140/9, 141, 142/1, 142/2, 143/1, 143/2, 143/3, 144/1 to 144/8, 145/1 to 145/6, 146, 147, 148/1 to 148/3, 149 to 153, 154/1, 154/2, 155/1, 155/2, 155/3, 156, 157/1, 157/2, 157/3, 158, 159, 160, 161/1, 161/2, 162/1, 162/2, 163, 164/1, 164/2, 165, 166, 167/1, 167/2, 168, 169/1, 169/2, 170/1, 170/2, 170/3, 171, 172, 173, 174/1, 174/2, 175, 176/2 to 176/5, 177, 178/1 to 178/4, 179, 180, 181/1, 181/2, 182 to 194, 195/1 to 195/7, 196/1, 196/2, 197/1 to 197/6, 198, 199/

1 to 199/4, 200/1 to 200/4, 201/1, to 201/3, 202, 203, 204, 205/1 to 205/5, 206 to 211, 212/1 to 212/5, 213, 214/1, 214/2, 215, 216, 217/1, 217/2, 218/1, 218/2, 219/1 to 219/5, 220/1, 220/2, 220/3, 221/1 to 221/17, 222, 223/1, 223/2, 224/1, 224/2, 225, 226/1 to 226/18, 227/1, 227/2, 228 to 231, 232/1 to 232/5, 233, 234, 235/1, 235/2, 235/3, 236/1 to 236/7, 237/1 to 237/10, 238/1 to 238/4, 239/1 to 239/4, 240/1 to 240/8, 241/1, 241/2, 242/1 to 242/3, 243/1, 243/2, 243/3, 244/1, 244/2, 245/1, 245/2, 246/1 to 246/8, 247/1 to 247/7, 248, 249/1 to 249/5, 250, 251, 252/1, 252/2, 252/3, 253/1, 253/2, 254/1, 254/2, 255/1, 255/2, 255/3, 256/1, 256/2, 256/3, 257/1, 257/2, 258, 259, 260/1, 260/2, 261, 262/1, 262/2, 262/3, 263, 264, 265, 266/1, 266/2, 267, 268, 269/1, 269/2, 269/3, 270, 271/1, 271/2, 271/3, 272/1 to 272/4, 273/1, 273/2, 274, 275, 276/1, 276/2, 277, 278/1, 278/2, 279, 280, 281/1, 281/2, 282/1, 282, 283/1, 283/2, 283/3, 284/1 to 284/4, 285, 286, 287/1 to 287/5, 288/1, 288/2, 289, 290/1, 290/2, 291/1, 291/2, 292/1 to 292/5, 293, 294/1, 294/2, 295/1 to 295/4, 296/1 to 296/11, 297/1 to 297/4, 298/1 to 298/5, 299/1, 299/2, 300/1, 300/2, 300/3, 301/1, 301/2, 301/3, 302 to 305, 306/1, 306/2, 307, 308/1, 308/2, 309/1 to 309/7, 310/1, 310/2, 311, 312/1 to 312/6, 313/1 to 313/7, 314/1 to 314/4, 315/1 to 315/7, 316, 317/1 to 317/6, 318, 319, 320, 321/1 to 321/7, 322, 323/1 to 323/4, 324/1 to 324/9, 325/1 to 325/4, 326/1, 326/2, 326/3, 327/1, 327/2, 328, 329/1, 329/2, 330/1, 330/2, 330/3, 331 to 333, 334/1 to 334/5, 335/1, 335/2, 336, 337/1 to 337/5, 338/1 to 338/5, 339 to 342, 343/1, 343/2, 343/3, 344, 345/1, 345/2, 346/1, 346/2, 347/1, 347/2, 348 to 350, 351/1 to 351/7, 352/1, 352/2, 353/1 to 353/4, 354/1, 354/2, 355/1, 355/2, 356, 357/1 to 357/4, 358, 359, 360/1 to 360/4, 361/1, 361/2, 362 to 367, 368/1, 368/2, 369, 370/1 to 370/6, 371, 372/1, 372/2, 373, 374, 375, 376/1, 376/2, 376/3, 377, 378, 379, 380/1, 380/2, 381, 382/1 to 382/4, 383/1, 383/2, 384 to 388, 389/1, 389/2, 390, 391, 392, 393/1, 393/2, 393/3, 394, 395, 396/1 to 396/8, 397/1, 397/2, 398/1, 398/2, 399/1 to 399/5, 400/1, 400/2, 400/3, 401/1 to 401/11, 402/1, 402/2, 403, 404/1, to 404/4, 405, 406, 407, 408/1 to 408/5, 409/1, 409/2, 409/3, 410, 411/1, 411/2, 412/1, 412/2, 412/3, 413/1, 413/2, 414/1 to 414/13, 415/1 to 415/11, 416/1, 416/2, 417/1, 417/2, 418/1 to 418/18, 419/1 to 419/5, 420, 421, 422/1 to 422/3, 422/4 k, 422/4kh, 422/5 to 422/41, 422/42k, 422/42kh, 422/43, 422/44, 423/1 to 423/5, 424, 425/1 to 425/10, 426/1 to 426/14, 427, 428, 429/1, 429/2, 429/3, 430/1 to 430/45, 431/1 to 431/5, 432/1, 432/2, 433/1, 433/2, 434/1 to 434/4, 435/1 to 435/7, 436/1 to 436/9, 437/1 to 437/3, 438/1 to 438/5, 439/1, 439/2k, 439/2kh, 439/3 to 439/5, 440/1 to 440/4, 441/1 to 441/4, 442/1, 442/2, 442/3, 443/1 to 443/6, 444/1 to 444/11, 445/1 to 445/5, 446/1 to 446/5, 447/1 to 447/5, 448/1, 448/2, 449/1 to 449/6, 450, 451/1, 451/2, 452, 453, 454/1, 454/2k, 454/2kh, 454/3, 454/4, 454/5k, 454/5kh, 454/5g, 455/1 to 455/4, 455/5k, 455/5kh, 455/6, 456/1, 456/2, 457/1 to 457/6, 458/1, 458/2, 458/3, 459/1 to 459/6, 460, 461/1 to 461/4, 462/1, 462/2, 462/3, 463/1, 463/2, 464/1, 464/2, 465, 466/1 to 466/12, 467/1, 467/2, 467/3, 468/1 to 468/4, 469/1 to 469/5, 470/1, 470/2, 471/1, 471/2, 471/3, 472/1 to 472/4, 473, 474/1 to 474/4, 475/1 to 475/8, 476, 477, 478, 479/1 to 479/6, 480/1, 480/2,

481, 482, 483/1 to 483/7, 484, 485/1, 485/2, 486, 487, 488/1, 488/2, 489/1 to 489/6, 490 to 497, 498/1 to 498/6, 499/1 to 499/4, 500/1 to 500/6, 501/1 to 501/4, 502/1 to 502/6, 503, 504/1 to 504/6, 505/1, 505/2, 506/1 to 506/5, 507/1, 507/2, 508/1, 508/2, 508/3, 509/1 to 509/5, 510/1 to 510/4, 511/1, 511/2, 512/1, 512/2, 513, 514/1 to 514/4, 515/1, 515/2, 515/3, 516/1 to 516/8, 517/1, 517/2, 517/3, 517/4k, 517/4kh 517/4g, 518/1, 518/2, 519/1 to 519/5, 520, 521, 522/1 to 522/4, 523, 524, 525/1, 525/2, 526/1, 526/2, 527/1, 527/2, 528/1, 528/2, 529, 530, 531/1, 531/2, 531/3, 532, 533/1 to 533/7.

Boundary Description :

- A-B Line starts from point 'A' and passes along common boundary of villages Mangaon-Naraibodh and meets at point 'B'.
- B-C-D Line passes in village Naraibodh through plot number 3/1, point 'C' and meets at point 'D'.
- D-E-F Line passes in village Naraibodh along eastern and southern boundary of plot number 13/3, northern boundary of plot number 13/6, point 'E' then through plot number 8/1K, 15 and meets at point 'F' on the common boundary of village Naraibodh-Mangaon.
- F-G-H Line passes along partly common boundary of village Mangaon-Naraibodh, Gevra-Naraibodh, point 'G' and meets at point 'H'.
- H-I-J-K Line passes along common boundary of villages Naraibodh-Gevra, Naraibodh-Padaripani, Naraibodh-Barbhatha, point 'I' & 'J' and meets at point 'K' on the common boundary of village Naraibodh-Barbhatha.
- K-L Line passes in village Bhathora along southern boundary of plot number 470, through plot numbers 468, 467, 466, 444/3, 443/1, 438, 438/2, 441, 438/1, southern boundary of plot numbers 432, 437/2, through 353, 350-351-352 and meets at point 'L'.
- L-M Line passes in village Bhathora along eastern boundary of plot numbers 347-348, through 349, 354, 359, 406/2, 406/1, 407, 404, 403, 402, 413, 414 and meets at point 'M'.
- M-N Line passes in village Bhathora through plot number 414, 394, 393, 378/1, 378/2, 375, 374, 289/1-305, 277/2, 276, 272, 259/7kh, 260/2, 261, 22/1, 23-24-25, 26, 27, 29, 33/2, 34/2, 9, 11, 2/5, 2/7 and meets at point 'N' on the common boundary of village Kosmanda-Bhathora.
- N-O-P Line passes along the partly common boundary of villages Kosmanda-Bhathora, point 'O' and meets at point 'P'.

P-A Line passes along common boundary of villages Kosmanda-Naraibodh and meets at starting point 'A'.

[F.No. 43015/25/2008-PRIW-I]

M. SHAHABUDEEN, Under Secy.

आदेश

नई दिल्ली, 30 सितम्बर, 2009

का.आ. 2706.—कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 9 की उप-धारा (1) के अधीन जारी भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का.आ. 1562, तारीख 25 मई, 2009, जो भारत के राजपत्र भाग II, खण्ड 3, उप-खण्ड (ii), तारीख 6 जून, 2009 में प्रकाशित की गई थी, के प्रकाशन पर उक्त अधिसूचना से संलग्न अनुसूची में वर्णित भूमि या ऐसी भूमि (जिसे इसमें इसके पश्चात् उक्त भूमि कहा गया है) में या उस पर के सभी अधिकार उक्त अधिनियम की धारा 10 की उप-धारा (1) के अधीन, सभी विस्तरणों से मुक्त होकर, आपातकाल से केन्द्रीय सरकार में निहित हो गए थे;

और केन्द्रीय सरकार का यह समाधान हो गया है कि साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, सीपत रोड, बिलासपुर, छत्तीसगढ़ (जिसे इसमें इसके पश्चात् सरकारी कम्पनी कहा गया है), ऐसे निबंधनों और शर्तों का जो केन्द्रीय सरकार इस निमित्त अधिरोपित करना उचित समझे, अनुपालन करने के लिये राजमंद है;

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 11 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में और उस पर इस प्रकार निहित सभी अधिकार, तारीख 6 जून, 2009 से केन्द्रीय सरकार में इस प्रकार निहित बने रहने के स्थान पर निम्नलिखित निबंधनों और शर्तों के अधीन रहते हुए, उक्त सरकारी कम्पनी में निहित हुए समझे जाएंगे, अर्थात् :—

(1) उक्त सरकारी कम्पनी, उक्त अधिनियम के उपबंधों के अधीन यथा अवधारित प्रतिकर, ब्याज, नुकसानी और वैसी ही मदों की बाबत किए गए सभी संदायों की प्रतिपूर्ति केन्द्रीय सरकार को करेगी;

(2) उक्त सरकारी कम्पनी द्वारा उपरोक्त शर्त (1) के अधीन केन्द्रीय सरकार को संदेय स्तरों का अवधारण करने के प्रयोजन के लिये एक अधिकरण का गठन किया जाएगा और ऐसे किसी अधिकरण और ऐसे अधिकरण की सहायता करने के लिये नियुक्त व्यक्तियों के संबंध में उपगत सभी व्यय, उक्त सरकारी कम्पनी द्वारा वहन किये जायेंगे और इसी प्रकार निहित उक्त भूमि में या उस पर के उक्त अधिकार के लिये या उनसे संबंध में जैसे-जैसे अतीत में सभी विधिक कार्रवाहियों की बाबत उक्त सरकारी कम्पनी, उक्त सरकारी कम्पनी द्वारा वहन किये जायेंगे;

(3) उक्त सरकारी कम्पनी, केन्द्रीय सरकार या उसके पदधारियों की, ऐसे किसी अन्य व्यय के संबंध में, क्षतिपूर्ति करेगी जो इस प्रकार विहित उक्त भूमि में या उस पर के अधिकारों के बारे में, केन्द्रीय सरकार या उसके पदधारियों द्वारा या उनके विरुद्ध किन्हीं कार्यवाहियों के संबंध में आवश्यक हो;

(3) उक्त सरकारी कम्पनी को, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना, उक्त भूमि किसी अन्य व्यक्ति को अंतरित करने की शक्ति नहीं होगी; और

(5) उक्त सरकारी कम्पनी, ऐसे विदेशों और शलों का, जो केन्द्रीय सरकार द्वारा, जब कभी आवश्यक हो, उक्त भूमि के विशिष्ट क्षेत्रों के लिये दिए जाएं या अधिरोपित की जाए, पालन करेगी।

[फा. सं. 43015/3/2006-पीआरआईडब्ल्यू-1]

एम. शाहाबुद्दीन, अवर सचिव

ORDER

New Delhi, the 30th September, 2009

S.O. 2706.—Whereas, on the publication of the notification of the Government of India in the Ministry of Coal number S.O. 1562 dated the 25th May, 2009 in the Gazette of India, Part II, Section 3, sub-section (ii) dated the 6th June, 2009 issued under sub-section (1) of Section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the lands and All Rights in and over such lands described in the Schedule appended to the said notification (hereinafter referred to as the said lands) vested absolutely in the Central Government free from all encumbrances under sub-section (1) of Section 10 of the said Act;

And whereas, the Central Government is satisfied that the South Eastern Coalfields Limited, Seepat Road, Bilaspur, Chhattisgarh (hereinafter referred to as the Government Company) is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 11 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, (20 of 1957), the Central Government hereby directs that the said lands and the rights in and over the said lands so vested shall, instead of continuing to vest in the Central Government be deemed to have been vested in the said Government Company with effect from the 6th June, 2009 subject to the following terms and conditions, namely:—

1. The said Government Company shall reimburse to the Central Government all payments made in respect of compensation, interest, damages and the like may be as determined under the provisions of the said Act:

2. A Tribunal shall be constituted for the purpose of determining the amounts payable to the Central Government by the said Government Company under conditions (1) above and all expenditure incurred in connection with any such tribunal and persons appointed to assist such tribunal shall be borne by the said Government Company and similarly, all expenditure incurred in respect of all legal proceedings like appeals etc., for or in connection with the rights in or over the said lands, so vested, shall also be borne by the said Government Company;

3. The said Government Company shall indemnify the Central Government or its officials against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its officials regarding the rights in or over the said lands so vested;

4. The said Government Company shall have no power to transfer the said lands and rights to any other persons without the prior approval of the Central Government; and

5. The said Government Company shall abide by such directions and conditions as may be given or imposed by the Central Government for particular areas of the said lands as and when necessary.

[F. No. 43015/3/2006-PRIW-I]

M. SHAHABUDEEN, Under Secy.

आदेश

नई दिल्ली, 30 सितम्बर, 2009

का.आ. 2707.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उप-धारा (1) के अधीन भारत सरकार में कोयला मंत्रालय के द्वारा जारी की गई अधिसूचना संख्या का.आ. 2764, तारीख 29 सितम्बर, 2008, जो भारत के राजपत्र भाग II, खण्ड 3, उप-खण्ड (ii), तारीख 4 अक्टूबर, 2008 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 416.02 हेक्टर (लगभग) या 1016.02 एकड़ (लगभग) है;

और केन्द्रीय सरकार को यह समाधान हो गया है कि उक्त भूमि में कोयला अभिप्राप्त है;

अतः केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 7 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि का अर्जन करने की, अपने आशय की सूचना देती है। इससे संलग्न अनुसूची में वर्णित 410.96 हेक्टर (लगभग) या 1015.52 एकड़ (लगभग) माप वाली भूमि में या उस पर के सभी अधिकार:—

टिप्पण 1 : इस अधिसूचना के अधीन अपने वाले क्षेत्र के रेखांक सं. सी.1 (ई) /जेआर/777-0309, तारीख 7 मार्च, 2009 को जिला अधिकारी, चंद्रपुर के कार्यालय में या कोयला नियंत्रक, I, काउंसिल स्ट्रीट, कोलकाता-700 001 के कार्यालय में या वेस्टर्न कोलफील्ड्स लिमिटेड, (राजस्व अनुभाग) कोल ईस्टेट, सिविल लाईन्स, नागपुर-440 001 (महाराष्ट्र) के कार्यालय में किया जा सकता है।

टिप्पण 2 : कोयला धारक क्षेत्र (अर्जन और विकास), अधिनियम, 1957 (1957 का 20) की धारा 8 के उपबन्धों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबन्ध है :—

अर्जन की बाबत आपत्तियाँ :

“8(1) कोई व्यक्ति जो किसी भूमि में, जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिनों के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

स्पष्टीकरण :—

(1) इस धारा के अन्तर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन

सक्रियार्ण करना चाहता है और ऐसी सक्रियार्ण केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।

(2) उप-धारा (1) के अधीन प्रत्येक आपत्ति सक्षम अधिकारी को लिखित रूप में की जाएगी और सक्षम अधिकारी, आपत्तिकर्ता को स्वयं सुने जाने, विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जांच, यदि कोई हो, करने के पश्चात्, जो वह आवश्यक समझता है, वह या तो धारा 7 की उप-धारा (1) के अधीन अधिसूचित भूमि का या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़े या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।

(3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होगा, यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते हैं।

टिप्पण 3 : केन्द्रीय सरकार ने कोयला नियंत्रक, I, काउंसिल स्ट्रीट, कोलकाता-700 001 को इस अधिनियम के अधीन अधिसूचना सं. का.आ. 2519 तारीख 27 मई, 1983 को भारत के राजपत्र भाग II, खण्ड 3, उप-खण्ड (ii) में 11 जून, 1983 द्वारा सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची

चंद्रपुर डीप विस्तार अधिनियम अधीन

चंद्रपुर क्षेत्र

जिला चंद्रपुर (महाराष्ट्र)

समस्त अधिकार :—

रेखांक सं. सी-1-(ई) III/जेआर/777-0309, तारीख 7 मार्च, 2009)

| क्रम संख्या | ग्राम का नाम | पटवारी सर्कल संख्या | तहसील एवं जिला | आबादी | क्षेत्र हेक्टर में सरकारी | जन | कुल | टिप्पणी |
|-------------|---------------------|-----------------------|----------------|--------|---------------------------|--------|---------|----------|
| 1 | सिन्हाला | 12 | चंद्रपुर | 260.09 | 29.29 | 06.18 | 295.56 | भूमि |
| 2 | चंद्रपुर डिवीजन | कम्पार्टमेंट नंबर 400 | चंद्रपुर | — | — | 59.20 | | |
| | चंद्रपुर आरक्षित वन | 401 | चंद्रपुर | — | — | 54.26 | 115.40 | भूमि |
| | | 402 | चंद्रपुर | — | — | 01.94 | | |
| | | कुल : | हेक्टर में | 260.09 | 29.29 | 121.58 | 410.96 | (समाप्त) |
| | | | एकड़ में | 642.71 | 72.37 | 300.44 | 1015.52 | (समाप्त) |

ग्राम सिन्हाला में अर्जित किए जाने वाले प्लॉट संख्यांक :-

1. किरायेदारी/निजी भूमि :

2, 8/1, 9/1, 11/1, 11/2, 12, 13, 14, 17/18, 22/1, 22/2, 22/3, 23, 24, 25, 26/27, 28, 30, 31, 32, 33/1, 33/2, 35, 36, 37/1, 37/2, 37/3, 38, 39/40, 113, 114, 115, 117, 118, 119, 120, 121/1, 121/2, 121/3, 122, 123, 124/1, 124/2, 125/1, 125/2, 126, 127/1, 127/2, 128/129, 130, 131, 132, 133, 134, 135, 136/1, 136/2, 137/1, 137/2, 138, 139, 140/1, 140/2, 141/1, 141/2, 142, 143/1, 143/2, 144, 145/1, 145/2, 145/3, 145/4, 146, 147, 148, 149, 150, 151, 152, 152/2, 152/3, 152/4, 152/5, 153, 154, 156, 157, 158, 159, 160/1, 160/2, 160/3, 160/4, 161/1, 161/2, 162/1ए, 162/1बी, 162/2A, 162, 2बी, 163/1, 163/2, 164/1, 164/2, 165/1ए, 165/1बी, 165/2, 166/1, 166/2, 167/1, 167/2, 168, 169/1, 169/2, 169/3, 170, 171/1, 171/2, 172/1, 172/2, 173/1ए, 173/1B, 173/2ए, 173/2B, 174, 175, 176/1, 176/2, 177, 178/1A-178/1B, 178/2, 179/1-179/2-179/3, 180/1-180/2-180/3/181/1-181/2-181/3, 81/4-181/5/182/1-182/2-182/3-182, 183, 184, 185, 18/1-186/2, 187/1-187/2/188/1-188/2-188/3/189/1ए-189/1B, 189/2/190/191/1, 191/2, 192/1-192/2, 192/3, 193, 194, 195/1-195/1ए-195/1B-195/2ए, 195/2बी/196, 197/1-197/2-197/3, 198/199, 200, 201/ए-201/बी-201/सी, 202/1-202/2, 203, 204, 205/1-205/2-205/3-205/4/206/1-206/2-206/3, 206/4, 206/5, 206/6, 207, 208/1-208/2-208/3/209/1, 209/2, 209/3, 210, 211/212/1/212/2/213/214/1-214/2-214/3-214/4-214/5-214/6-214/7-214/8-214/9-214/10-214/11-214/12-214/13, 217, 218, 219/220/221/1-221/2-221/3, 223/224/1-224/2, 225/226/227/229/1-229/2/231/232/233, 235/236/237/1-237/2/240/241/242/243/244/245, 246/1/246/2/247/1, 247/2, 248/1, 248/2, 251/1A-251/1B, 251/2, 252, 253/1, 253/2, 254, 255/256/257, 258/259/260/261, 264/1, 270/1, 271/1, 272/1, 273, 274/1, 275/1, 276/1, 277, 278, 279, 280, 281, 282.

2. सरकारी भूमि :

1, 3, 4, 5, 6, 7, 15, 16, 19, 20, 21/1, 21/2, 29, 155, 215, 216, 222, 228, 230, 234, 238, 239, 249, 250, नाला (भाग), सड़क (भाग), अक्वारी ।

3. वन भूमि :

268/1

4. आरक्षित वन :

कम्पार्टमेंट क्रमांक 400 (भाग), 401 (भाग), 402 (भाग)।

सीमा चर्चा :

क-ख : रेखा नाले के मध्य से ग्राम सिन्हाला और ग्राम मसाला दुकूम की सम्मिलित ग्राम सीमा पर बिन्दु 'क' से आरंभ

होती है और ग्राम वरवट और ग्राम सिन्हाला की सम्मिलित ग्राम सीमा से लगकर गुजरती है और बिन्दु 'ख' पर मिलती है ।

ख-ग : रेखा आरक्षित वन सीमा के कक्ष क्रमांक 388 और 389 की बाहरी सीमा और ग्राम सिन्हाला के प्लॉट संख्यांक 182/1, 182/2, 182/3, 182/4, 187/1, 187/2, 189/2, 190, 192/1, 192/2, 192/3, 197/1, 197/2, 197/3, 210, 211, 212/2, 212/1, 213, की बाह्य सीमा से गुजरती है फिर नाला पार करती है एवं प्लॉट संख्यांक 214/1, 214/2, 214/3, 214/4, 214/5, 214/6, 214/7, 214/8, 214/9, 214/10, 214/11, 214/12, 214/13 की बाह्य सीमा से लगकर गुजरती है और बिन्दु 'ग' पर मिलती है ।

ग-घ : रेखा आरक्षित वन के कक्ष क्रमांक 400, 401, 402 से होकर गुजरती है और बिन्दु 'घ' पर मिलती है ।

घ-ङ : रेखा आरक्षित वन के कक्ष क्रमांक 402, 401, 400 से होकर गुजरती है फिर ग्राम सिन्हाला और आरक्षित वन सीमा को पार करती है, फिर ग्राम सिन्हाला से प्लॉट संख्यांक 262/1, 261 से होकर गुजरती है और बिन्दु 'ङ' पर मिलती है ।

ङ-च : रेखा ग्राम सिन्हाला से होकर गुजरती है फिर प्लॉट संख्यांक 277, 275/1, 274/1, 276/1, 272/1, 271/1, 270/1, 264/1 की बाह्य सीमा से लगकर गुजरती है फिर सड़क पार करती है एवं प्लॉट संख्यांक 9/1, 11/2 की बाह्य सीमा से लगकर गुजरती है फिर ग्राम सिन्हाला आरक्षित वन सम्मिलित सीमा को पार करती है और कक्ष क्रमांक 400 से होकर गुजरती है और बिन्दु 'च' पर मिलती है ।

च-क : रेखा ग्राम दुर्गापुर और आरक्षित वन कक्ष क्रमांक 400 की सम्मिलित सीमा से लगकर गुजरती है फिर ग्राम सिन्हाला और आरक्षित वन कक्ष क्रमांक 400 की सीमा से लगकर गुजरती है और ग्राम सिन्हाला से प्लॉट संख्यांक 33/1, 33/2, 32, 35, 37/1, 37/2, 37/3, 40 की बाह्य सीमा से लगकर गुजरती है फिर सड़क से लगकर गुजरती है और नाला पार करती है फिर सड़क से लगकर गुजरती है और प्लॉट संख्यांक 113, 115, 118, 117 की बाह्य सीमा से लगकर गुजरती है फिर नाले से होकर आरंभिक बिन्दु 'क' पर मिलती है ।

[फा. सं. एल-43015/13/2008-पीआरआईडब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

New Delhi, the 30th September, 2009

S.O. 2707.—Whereas by the notification of the Government of India in the Ministry of Coal number S. O. 2764 dated the 29th September, 2008, issued under sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part - II, Section-3, Sub-section (ii) dated the 4th October, 2008, the Central Government gave notice of its intention to prospect for coal in 411.18 hectares (approximately) or 1016.02 acres (approximately) of the lands in the locality specified in the Schedule annexed to that notification;

And whereas, the Central Government is satisfied that coal is obtainable in a part of said lands prescribed in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby gives notice of its intention to acquire the land measuring 410.96 hectares (approximately) or 1015.52 acres (approximately) as, 'all rights' in or over the said lands described in the Schedule appended hereto:

Note 1: The plan bearing number C-1(E)III/JR/777-0309 dated the 7th March, 2009 of the area covered by this notification may be inspected in the office of the Collector, Chandrapur (Maharashtra) or in the office of the Coal Controller, 1 Council House Street, Kolkata (Pin Code - 700 001) or in the office of the Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur-440 001 (Maharashtra).

Note 2: Attention is hereby invited to the provisions of section 8 of the said Act which provides as follows :—

Objections to Acquisition :

"8(1) Any person interested in any land in respect of which a notification under section 7 has been issued, may,

within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or of any rights in or over such land.

Explanation :—

- (1) It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.
- (2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of proceedings held by him, for the decision of that Government.
- (3) For the purpose of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act."

Note 3: The Coal Controller, 1, Council House Street, Kolkata-700 001 has been appointed by the Central Government as the competent authority under section 3 of the said Act, vide notification number S.O. 2519 dated the 27th May, 1983, published in Part-II, Section 3, Sub-Section (ii) of the Gazette of India, dated the 11th June, 1983.

SCHEDULE DURGAPUR DEEP EXTENSION OPEN CAST BLOCK CHANDPUR AREA DISTRICT CHANDRAPUR (MAHARASHTRA)

ALL RIGHTS

[(Plan bearing number C-1(E)III/JR/777-0309 dated the 7th March, 2009)]

| Sl. No. | Name of the village | Patwari circle number | Tahsil and District | Tenancy | Land required in hectare | | | Remarks |
|---------|---------------------|-----------------------|---------------------|---------|--------------------------|----------------|--------|---------|
| | | | | | Government | Forest | Total | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 1. | Sinhala | 12 | Chandrapur | 260.09 | 29.29 | 06.18 | 295.56 | Part |
| 2. | Chandrapur Division | Comp. No. 400 | Chandrapur | — | — | 59.20 54.26 | 115.40 | Part |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
|---|------------------------------|---------|------------|--------|-------|--------|---------|-----------------|
| | Chandrapur Reserve Forest | 401 | Chandrapur | — | — | | | |
| | | 402 | Chandrapur | — | — | 01.94 | | |
| | | Total : | In hectare | 260.09 | 29.29 | 121.58 | 410.96 | (Approximately) |
| | | | In acres | 642.71 | 72.37 | 300.44 | 1015.52 | (Approximately) |

Plot numbers to be acquired in village Sinhala :

(i) TENANCY/PRIVATE LAND:

2, 8/1, 9/1, 11/1, 11/2, 12, 13, 14, 17, 18, 22/1, 22/2, 22/3, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33/1, 33/2, 35, 36, 37/1-37/2-37/3, 38, 39, 40, 113, 114, 115, 117, 118, 119, 120, 121/1, 121/2/121/3/122, 123, 124/1-124/2, 125/1-125/2, 126, 127/1-127/2, 128, 129, 130, 131, 132, 133, 134, 135, 136/1, 136/2, 137/1, 137/2, 138, 139, 140/1, 140/2, 141/1, 141/2, 142, 143/1, 143/2, 144, 145/1, 145/2, 145/3, 145/4, 146, 147, 148, 149, 150, 151, 152/1-152/2-152/3-152/4, 152/5, 153, 154, 156, 157, 158, 159, 160/1, 160/2, 160/3, 160/4, 161/1, 161/2, 162/1A, 162/1B, 162/2A, 162/2B, 163/1, 163/2, 164/1, 164/2, 165/1A, 165/1B, 165/2, 166/1, 166/2, 167/1, 167/2, 168, 169/1, 169/2, 169/3, 170, 171/1, 171/2, 172/1, 172/2, 173/1A, 173/1B, 173/2A, 173/2B, 174, 175, 176/1, 176/2, 177, 178/1A, 178/1B, 178/2, 179/1, 179/2, 179/3, 180/1, 180/2, 180/3, 181/1, 181/2, 181/3, 181/4, 181/5, 182/1, 182/2, 182/3, 182/4, 183, 184, 185, 186/1, 186/2, 187/1, 187/2, 188/1-188/2, 188/3, 189/1A, 189/1B, 189/2, 190, 191/1, 191/2, 192/1, 192/2, 192/3, 193, 194, 195/1, 195/1A, 195/1B, 195/2A, 195/2B, 196, 197/1, 197/2, 197/3, 198/1, 199, 200, 201/A, 201/B, 201/C, 202/1, 202/2, 203, 204, 205/1, 205/2, 205/3, 205/4, 206/1, 206/2, 206/3, 206/4, 206/5, 206/6, 207, 208/1, 208/2, 208/3, 209/1, 209/2, 209/3, 210, 211, 212/1, 212/2, 213, 214/1, 214/2, 214/3, 214/4, 214/5, 214/6, 214/7, 214/8, 214/9, 214/10, 214/11, 214/12, 214/13, 217, 218, 219, 220, 221/1, 221/2, 221/3, 223, 224/1, 224/2, 225, 226, 227, 229/1, 229/2, 231, 232, 233, 235, 236, 237/1, 237/2, 240, 241, 242, 243, 244, 245, 246/1, 246/2, 247/1, 247/2, 248/1, 248/2, 251/1A, 251/1B, 251/2, 252, 253/1, 253/2, 254, 255, 256, 257, 258, 259, 260, 261, 264/1, 270/1, 271/1, 272/1, 273, 274/1, 275/1, 276/1, 277, 278, 279, 280, 281, 282.

(ii) Government Land :

1, 3, 4, 5, 6, 7, 15, 16, 19, 20, 21/1, 21/2, 29, 155, 215, 216, 222, 228, 230, 234, 238, 239, 249, 250, Nallah (Part), Road (Part), Abadi.

(iii) Forest Land:

262/1.

(iv) Reserve Forest :

Compartment number 400 (Part), 401 (Part), 402 (Part),

Boundary description :

A—B: Line starts from Point 'A' along the centre point of Nallah and common village boundary of

villages Sinhala and Masala Tukum then passes along with the common village boundary of villages Warwat and Sinhala and meets at Point 'B'.

B—C: Line passes along the common boundary of Reserve Forest Compartment Numbers 388 & 399 and village Sinhala along the outer boundary of plot numbers 182/1—182/2-182/3-182/4, 187-1187/2, 189/2, 190, 192/1-192/2-192/3, 197/1-197/2-197/3, 210, 211, 212/2, 212/1, 213/crosses nallah then passes along with the outer boundary of plot numbers 214/1-214/2-214/3-214/4-214/5, 214/6-214/7-214/8-214/9-214/10-214/11-214/12-214/13 and meets at Point 'C'.

C—D: Line passes through Reserved Forest in Compartment number 400, 401, 402 and meets at Point 'D'.

D—E: Line passes through Reserved forest in Compartment numbers 402, 401, 400, then crosses common boundary of village Sinhala and Reserved forest then passes through village Sinhala in plot numbers 262/1, 261 and meets at Point 'E'.

E—F: Line passes through village Sinhala then passes along with the outer boundary of plot numbers 277, 275/1, 274/1, 276/1, 272/1, 271/1, 270/1, 264/1 crosses village Road then passes along with the outer boundary of plot numbers 9/1, 11/2 then crosses the common village boundary of village Sinhala and Reserve forest then passes through Compartment number 400 and meets at Point 'F'.

F—A: Line passes along with the common boundary of village Durgapur and Reserve forest Compartment number 400 then passes along the common boundary of village Sinhala and Reserve forest Compartment number 400 then passes through village Sinhala along with the outer boundary of plot numbers 33/1-33/2, 32, 35, 37/1-37/2-37/3, 40, then passes along the Road crosses Nallah, again passes along the Road and then passes along the outer boundary of plot numbers 113, 115, 118, 117, then crosses Nallah and meets at starting Point 'A'.

[F. No. 43015/13/2008-PRIW-I]

M. SHAHABUDEEN, Under Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 19 अगस्त, 2009

का.आ. 2708.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में पेट्रोलियम और प्राकृतिक गैस मंत्रालय के प्रशासकीय नियंत्राधीन सार्वजनिक क्षेत्र के उपक्रमों के निम्नलिखित कार्यालयों को, जिनके 80 या अधिक प्रतिशत कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है:—

हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड

1. चाकण एलपीजी भराई संयंत्र
चाकण तलेगांव हाईवे, महालुंगे इंगले
पुणे-410 501

भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड

2. बिजवासन प्रादेशिक कार्यालय एवं संस्थापन
भर्तल रोड, पोस्ट ऑफिस बिजवासन
दिल्ली-110061

[सं. 11011/1/2007 (हिन्दी)]

जानकी आहुजा, उप निदेशक (रा.भा.)

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 19th August, 2009

S.O. 2708.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices of the Public Sector Undertakings under the administrative control of the Ministry of Petroleum & Natural Gas, in which 80 or more percent of the staff have acquired working knowledge of Hindi.

Hindustan Petroleum Corporation Limited

1. Chakan LPG Bottling Plant
Chakan Telegaun Highway, Mahalunge Ingle
Pune-410 501

Bharat Petroleum Corporation Limited

2. Bijwasan Regional Office & Location
Bhartal Road, Post Office Bijwasan
Delhi-110061.

[No. 11011/1/2007 (Hindi)]

JANKI AHUJA, Dy. Director (OL)

नई दिल्ली, 23 सितम्बर, 2009

का.आ. 2709.—भारत सरकार पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962

(1962 का 50) की धारा 2 के खण्ड (क) के अनुसरण में मैसर्स गेल (इण्डिया) लिमिटेड द्वारा पाइपलाइन बिछाने के लिए उक्त अधिनियम के अधीन संलग्न सूची के कॉलम (1) में वर्णित व्यक्ति को कॉलम (2) में वर्णित क्षेत्र में सक्षम प्राधिकारी के कृत्यों का पालन करने के लिए नियुक्त करती है।

अनुसूची

| व्यक्ति का नाम और पता | अधिकारीता का क्षेत्र |
|---|------------------------|
| श्री प्रकाश जी. टी. नित्तली, एसिस्टेंट कमिशनर, मैसर्स गेल (इण्डिया) लिमिटेड में प्रतिनियुक्ति पर गेल (इण्डिया) लिमिटेड, कारपोरेट माईलर (दूसरा तल) 332/1, थिममिह रोड, वसन्ध नगर, बैंगलोर-560 052, कर्नाटक | सम्पूर्ण कर्नाटक राज्य |

[फा. सं. एल-14014/29/09-जी.पी.]

के. के. शर्मा, अवर सचिव

New Delhi, the 23rd September, 2009

S.O. 2709.—Whereas, in pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Government of India hereby authorizes the person mentioned in column (1) of the Schedule given below to perform the functions of the Competent Authority under the said Act for laying pipelines by the said M/s. GAIL (India) Limited in the area mentioned in column (2) of the said Schedule.

SCHEDULE

| Name and Address of the Person | Area of Jurisdiction |
|---|---------------------------|
| Shri Prakash G. T. Nittali, Asstt. Commissioner on deputation basis to M/s. GAIL (India) Limited, Corporate Miller, (IInd Floor) 332/1, Thimmiah V Road, Vasanth Nagar, Bangalore-560052, Karnataka. | Whole State of Karnataka. |

[F. No. L-14014/29/09-G.P.]

K. K. SHARMA, Under Secy.

नई दिल्ली, 23 सितम्बर, 2009

का.आ. 2710.—केन्द्रीय सरकार को लोकाहित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में वाडीनार से मध्य प्रदेश

राज्य में बीना तक क्रूड ऑयल के परिवहन हेतु भारत ओमान रिफाइनरीज लिमिटेड द्वारा एक पाईपलाइन बिछाई जानी चाहिए;

और, केन्द्रीय सरकार को ऐसी पाईपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाईपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाईपलाइन बिछाई जाने के लिए उसमें उपयोग के अधिकार के अर्जन के संबंध में श्री एस. के. ब्रह्मभट्ट, सक्षम प्राधिकारी, वाडीनार बीना क्रूड ऑयल पाईपलाइन परियोजना, भारत ओमान रिफाइनरीज लिमिटेड, 14-14-ए, कृष्णा बंग्लो, प्रह्लादनगर, अहमदाबाद-380 051 (गुजरात) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : धोलका जिला : अहमदाबाद राज्य : गुजरात

| क्र.सं. | गांव का नाम | सर्वे नंबर | क्षेत्रफल हेक्टेयर में |
|---------|-------------|------------|------------------------|
| 1 | 2 | 3 | 4 |
| 1. | कोठ | 380 पैकी 3 | 00.1500 |
| 2. | रूपगढ़ | 34 | 00.0004 |
| 3. | खरांटी | 19 | 00.4638 |
| | | 304 | 00.0244 |
| | | 320 | 00.0559 |
| 4. | सीमेज | 727 | 00.1250 |
| 5. | पीसावाडा | 954 | 00.0002 |
| 6. | वीरपुर | 46/4 | 00.1925 |
| 7. | गीरंद | 312 | 00.0580 |

[फा. सं. आर.-31015/31/2009-ओआर-11]

ए. गोस्वामी, अवर सचिव

New Delhi, the 23rd September, 2009

S.O. 2710.—Whereas it appears to the Central Government that it is necessary in the public interest that for transportation of crude oil from Vadinar in the State of Gujarat to Bina in the state of Madhya Pradesh, a pipeline should be laid by Bharat Oman Refineries Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which copies of the Gazette of India containing this Notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri-S. K. Brahmabhatt, Competent Authority, Vadinar-Bina Crude Oil Pipeline Project, Bharat Oman Refineries Limited, 14 & 14-A, Krishna Bungalow, Near Prahladnagar, B/h. V.S.N.L. Bldg. Ahmedabad-380 051 (Gujarat).

SCHEDULE

Tehsil : Dholka District : Ahmedabad State : Gujarat

| S. No. | Name of Village | Survey No. | Area in Hectare |
|--------|-----------------|------------|-----------------|
| 1 | 2 | 3 | 4 |
| 1. | Koth | 380 P 3 | 00.1500 |
| 2. | Rupgadh | 34 | 00.0004 |
| 3. | Kharenti | 19 | 00.4638 |
| | | 301 | 00.0244 |
| | | 320 | 00.0559 |
| 4. | Simej | 727 | 00.1250 |
| 5. | Pisawada | 954 | 00.0002 |
| 6. | Virpur | 46/4 | 00.1925 |
| 7. | Girand | 312 | 00.0580 |

[F. No. R-31015/31/2009-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 23 सितम्बर, 2009

का.आ. 2711.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की नीचे दी गई अधिसूची में यथा उल्लिखित तारीखों की संख्या का.आ. द्वारा उन अधिसूचनाओं से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया था।

और केन्द्रीय सरकार ने, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमियों में सभी विल्लंगनों से मुक्त उपयोग का अधिकार भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित किया था।

और जबकि सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दी है कि मोटर स्प्रेड, उच्च-कोटि का मिट्टी का तेल और वेग डीजल के परिवहन के लिए भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड के मध्य प्रदेश राज्य स्थित मंगलया संस्थापन से दिल्ली राज्य स्थित बिजवासन संस्थापन तक उपर्युक्त भूमियों में पाईपलाइन बिछाई जा चुकी है। चूंकी राजस्थान राज्य के जिला झालावाड़ में पाईपलाइन बिछाई जा चुकी है, अतः ऐसी भूमि के बारे में जिसका विवरण इस अधिसूचना से संलग्न अनुसूची से विनिर्दिष्ट है, प्रचालन समाप्त किया जाए;

अतः केन्द्रीय सरकार पेट्रोलियम पाईपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1963 के नियम 4 के स्पष्टीकरण 1 के अधीन अपेक्षानुसार उक्त अनुसूची के स्तंभ 7 में उल्लिखित तारीखों को जिला झालावाड़, राजस्थान राज्य में प्रचालन की समाप्ति की तारीख के रूप में घोषित करती है।

अनुसूची

| क्र.सं. | का.आ.नं. व तारीख | गांव का नाम | तहसील | जिला | राज्य | प्रचालन समाप्ति की तारीख |
|---------|------------------|--------------|---------|----------|----------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1. | 4313/3323 | सरखेड़ी | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | 15-9-2005 | रामपुरिया | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | रामटी | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | शेरपुर | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | दौलतपुरा | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | धरोनिया | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | निमाहेडा | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | कचराखेडी | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | फतेहगढ़ | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | खिजरपुर | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | बानोर | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | आसोंदिया | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | कोटडी खुर्द | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | सेमली भवानी | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | बोरबंद | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | दीवलखेडा | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | मूंडला | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | कल्याणपुरा | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | बजरंगपुरा | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | रघुनाथपुरा | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | डावल | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | सालरी | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | सेमली कल्याण | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|----|----------------|---------------|-----------|----------|----------|------------|
| 2. | 2148 1-6-2006 | रामपुरिया | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | कोटडी खुर्द | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | शेरपुर | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | दीवलखेडा | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | कल्याणपुरा | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | सालरी | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| 3. | 3120 8-8-2006 | ममली | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | कल्याण | | | | |
| | | मूडला | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | फतेहगढ़ | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | कचराखेडी | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | नीगाहेडा | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| | | डाभल | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| 4. | 2561 10-9-2008 | रघुनाथपुरा | पिड़ावा | झालावाड़ | राजस्थान | 15-12-2008 |
| 5. | 1994 2-6-2005 | चंगेरी | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | सेमली पटपडिया | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | गिन्दोर | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | मुंडेरी | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | चौदियाखेडी | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | मालीपुरा | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | झालरापाटन | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | गोविंदपुरा | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | गुवाडीकला | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | गुवाडीखुर्द | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | टोलखेडा | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | जरेल | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | डाबली-कला | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | माधोपुर | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| 6. | 4645 | चंगेरी | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | 9-12-2005 | गिन्दोर | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | चौदियाखेडी | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | मालीपुरा | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | झालरापाटन | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | टोलखेडा | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | जरेल | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | डाबलीकला | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | माधोपुर | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| 7. | 858 27-2-2006 | बक्सापुरा | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | मूडलाखेडा | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|-----|----------------|--------------|-----------|----------|----------|-----------|
| 8. | 4000 | गिन्दोर | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | 9-10-2006 | चौदियाखेड़ी | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | मालीपुरा | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | झालरापाटन | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| 9. | 1799-21-6-2007 | चंगेरी | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| 10. | 1800-21-6-2007 | सेमलीपटपडिया | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| | | गोविंदपुरा | झालरापाटन | झालावाड़ | राजस्थान | 30-9-2007 |
| 11. | 2248-24-6-2005 | हीचर | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| | | लायफल | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| | | पनवाड | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| | | बागोद | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| | | बिशनखेड़ी | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| 12. | 739-23-2-2006 | समदखेड़ी | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| 13. | 740-23-2-2006 | बोरदा | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| | | पनवाड | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| | | उम्मेदपुरा | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| | | लायफल | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| 14. | 741-23-2-2006 | बोरदा | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| | | चौसला | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| | | पनवाड | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| | | उम्मेदपुरा | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| | | हीचर | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| | | लायफल | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| | | बागोद | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |
| | | जीरापुर | खानपुर | झालावाड़ | राजस्थान | 20-9-2006 |

[फा. सं. आर.-31015/43/2009-ओ आर-11]

ए. गोस्वामी, अपर सचिव

New Delhi, the 23rd September, 2009

S. O. 2711.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas, S.O. Nos. and dates as mentioned in the Schedule below issued under Sub-section (1) of Section (6), Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government acquired the Right of User in the said lands specified in the schedule appended to those notification.

And Whereas, in exercise of powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government vested the right of user in the lands free from all encumbrances in the Bharat Petroleum Corporation Limited.

And Whereas, the Competent Authority has made a report to the Central Government that the pipeline for the purpose of transportation of motor spirit, Superior Kerosene Oil and High Speed Diesel from Manglya in the State of Madhya Pradesh to Bijwasan in the state of Delhi has been laid in the said lands and hence the operation may be terminated in District Jhalawar in the State of Rajasthan in respect of the said lands which in brief are specified in the Schedule annexed to this Notification.

Now, therefore, as required under explanation 1 of Rule 4 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules 1963, the Central Government hereby declares the dates mentioned in column 7 of the said schedule as the dates of termination in District Jhalawar in the State of Rajasthan.

SCHEDULE

| Sl. No. | S.O. No. and date | Name of Village | Tehsil | District | State | Date of Termination |
|---------|----------------------|-----------------|--------------|----------|-----------|---------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1. | 4313/3323, 15-9-2005 | Sarkhedi | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Rampuriya | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Ramti | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Sherpur | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Daulatpura | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Dharoniya | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Nimaheda | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Kachra Khedi | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Fatehgarh | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Khijarpur | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Banor | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Asondiya | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Kotri Khurd | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Semli Bhawani | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Borbandh | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Diwal Kheda | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Mundla | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Kalyan pura | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Bajrang pura | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Raghunath pura | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Dawal | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Salri | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Semli Kalyan | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| 2. | 2148, 1-6-2006 | Rampuriya | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Kotri Khurd | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Sherpur | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Diwal Kheda | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Kalyan pura | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Salri | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| 3. | 3120, 8-8-2006 | Semli Kalyan | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Mundla | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Fatehgarh | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Kachra Khedi | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Nimaheda | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| | | Dawal | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| 4. | 2561, 10-9-2008 | Raghunath pura | Pidawa | Jhalawar | Rajasthan | 15-12-2008 |
| 5. | 1994, 2-6-2005 | Changeri | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Semli patpadia | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Gindhor | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Munderi | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Chandia Kheri | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Malipura | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Jhalarapatan | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Govindpura | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|-----|-----------------|----------------|--------------|----------|-----------|-----------|
| | | Guwadi Kalan | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Guwadi Khurd | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Tolkheda | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Jarel | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Dabali Kalan | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Madhopur | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| 6. | 4645, 9-12-2005 | Changeri | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Gindhor | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Chandia Khedi | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Malipura | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Jhalarapatan | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Tol Kheda | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Jarel | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Dabli Kalan | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Madhopur | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| 7. | 858, 27-2-2006 | Bakshpura | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Mundla Khera | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| 8. | 4000, 9-10-2006 | Gindhor | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Chandia Khedi | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Malipura | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Jhalarapatan | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| 9. | 1799, 21-6-2007 | Changeri | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| 10. | 1800, 21-6-2007 | Semli patpadia | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| | | Govindpura | Jhalarapatan | Jhalawar | Rajasthan | 30-9-2007 |
| 11. | 2248, 24-6-2005 | Hichar | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| | | Laifal | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| | | Panwad | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| | | Bagod | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| | | Bhisankhedi | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| 12. | 739, 23-2-2006 | Samadkhedi | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| 13. | 740, 23-2-2006 | Borda | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| | | Panwad | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| | | Ummedpura | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| | | Laifal | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| 14. | 741, 23-2-2006 | Borda | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| | | Chosla | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| | | Panwad | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| | | Ummedpura | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| | | Hichar | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| | | Laifal | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| | | Bagod | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |
| | | Jirapur | Khanpur | Jhalawar | Rajasthan | 20-9-2006 |

[F. No. R-31015/43/2009-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 23 सितम्बर, 2009

का.आ. 2712.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में वाडीनार से मध्यप्रदेश राज्य में बीना तक क्रूड ऑयल के परिवहन हेतु भारत ओमान रिफाइनरीज लिमिटेड द्वारा एक पाईपलाइन बिछाई जानी चाहिए;

और, केन्द्रीय सरकार को ऐसी पाईपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाईपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाईपलाइन बिछाई जाने के लिए उसमें उपयोग के अधिकार के अर्जन के संबंध में श्री एस. के. ब्रह्मभट्ट, सक्षम प्राधिकारी, वाडीनार बीना क्रूड ऑयल पाईपलाइन परियोजना, भारत ओमान रिफाइनरीज लिमिटेड, 14-14-ए, कृष्ण बंग्लो, प्रह्लादनगर, अहमदाबाद-380 051 (गुजरात) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : नडीयाद जिला : खेडा राज्य : गुजरात

| क्र.सं. | गांव का नाम | सर्वे नंबर | क्षेत्रफल हेक्टेयर में |
|---------|-------------|-------------|---------------------------|
| 1 | 2 | 3 | 4 |
| 1. | पीज | 860 | 00.1000 |
| | | 953 | 00.1729 |
| | | 1273 | 00.1316 |
| 2. | पीपलाता | 1231 | 00.0490 |
| | | 1272 | 00.2784 |
| | | 1308 | 00.2250 |
| 3. | पीपलग | 347 | 00.1250 |
| | | 658 पैकी | 00.0250 |
| | | 350 | 00.0741 |
| | | 351 | 00.0360 |
| | | 650 | 00.0248 |
| 4. | नडीयाद | 1191/1 पैकी | 00.0797 |
| 5. | सलुनतलपद | 437 | 00.0744 |
| 6. | कंजोडा | 692 | 00.0617 |
| | | 693 | 00.0345 |
| | | 616 | 00.0836 |
| | | 707 | 00.0449 |

| 1 | 2 | 3 | 4 |
|----|-------|----------|---------|
| 7. | चलाली | 839 | 00.0859 |
| | | 192 पैकी | 00.0796 |

[फा. सं. आर.-31015/35/2009-ओआर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 23rd September, 2009

S. O. 2712.—Whereas it appears to the Central Government that it is necessary in the public interest that for transportation of crude oil from Vadinar in the State of Gujarat to Bina in the state of Madhya Pradesh, a pipeline should be laid by Bharat Oman Refineries Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which copies of the Gazette of India containing this Notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri S. K. Brahmhatt, Competent Authority, Vadinar-Bina Crude Oil Pipeline Project, Bharat Oman Refineries Limited, 14 & 14-A, Krishna Bungalow, Near Prahladnagar, B/h. V.S.N.L. Bldg. Ahmedabad-380 051 (Gujarat).

SCHEDULE

Tehsil : Nadiad District : Kheda State : Gujarat

| S. No. | Name of Village | Survey No. | Area in Hectare |
|--------|-----------------|------------|-----------------|
| 1 | 2 | 3 | 4 |
| 1. | Pij | 860 | 00.1000 |
| | | 953 | 00.1729 |
| | | 1273 | 00.1316 |
| 2. | Piplata | 1231 | 00.0490 |
| | | 1272 | 00.2784 |
| | | 1308 | 00.2250 |
| 3. | Piplag | 347 | 00.1250 |
| | | 638 P | 00.0250 |
| | | 350 | 00.0741 |
| | | 351 | 00.0360 |
| | | 650 | 00.0248 |
| 4. | Nadiad | 1191/IP | 00.0797 |
| 5. | Saluntalpad | 437 | 00.0744 |
| 6. | Kanjoda | 692 | 00.0617 |
| | | 693 | 00.0345 |
| | | 616 | 00.0836 |
| | | 707 | 00.0449 |
| 7. | Chalali | 839 | 00.0859 |
| | | 192 P | 00.0796 |

[F. No. R-31015/35/2009-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 30 सितम्बर, 2009

का. आ. 2713.—पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) के नियम 2 (क) के अन्तर्गत, मैसर्स रिलायंस गैस ट्रांसपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड (आर.जी.टी.आई.एल.) के द्वारा आन्ध्र प्रदेश राज्य में प्राकृतिक गैस पाइपलाइन बिछाई जाने हेतु सक्षम प्राधिकारी के कार्यों का निर्वहन करने के लिए, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की, भारत के राजपत्र दिनांक 29 अक्टूबर, 2005 को प्रकाशित, अधिसूचना का.आ. 3962 दिनांक 25 अक्टूबर, 2005 द्वारा पदस्थापित, में, के.गंगाधरलम, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियमावली, 1963 के नियम 4 के उप नियम (1) के नीचे दी गई व्याख्या (1) के अन्तर्गत अधिकारों के अनुपालन में, मैसर्स आर.जी.टी.आई.एल., जिसमें क्यास्थित, उस क्षेत्र में भूमि में उपयोग का अधिकार निहित किया गया है और उस क्षेत्र में पाइपलाइन का स्वामित्व निहित है, के परामर्श से, संलग्न अनुसूची के स्तम्भ 4 में आन्ध्र प्रदेश राज्य के पूर्वी गोदावरी और पश्चिमी गोदावरी जिले में यथा उल्लेखित प्राकृतिक गैस पाइपलाइन बिछाए जाने के प्रचालन की समाप्ति की तारीखों की घोषित करता हूँ।

अनुसूची

| मंडल/ तेहसिल/ तालुक :तालुक | | जिला :पूर्वी गोदावरी | | राज्य :आन्ध्र प्रदेश | |
|-----------------------------|--------------|---------------------------------------|--------|-----------------------------|------------|
| क. स. | ग्राम का नाम | धारा 6(1) की का. आ. संख्या एवं दिनांक | | प्रचालन की समाप्ति की तारीख | |
| 1 | 2 | 3 | | 4 | |
| 1 | पोलेकुरु | 1145 | दिनांक | 07-04-2003 | 05-09-2009 |
| | | 4421 | दिनांक | 16-11-2006 | |
| | | 4475 | दिनांक | 24-11-2006 | |
| | | 3222 | दिनांक | 31-10-2007 | |
| | | 2149(अ) | दिनांक | 18-08-2009 | |
| | | 2212(अ) | दिनांक | 28-08-2009 | |
| 2 | मल्लवरम | 1145 | दिनांक | 07-04-2003 | 30-08-2009 |
| | | 4421 | दिनांक | 16-11-2006 | |
| | | 4475 | दिनांक | 24-11-2006 | |
| | | 3222 | दिनांक | 31-10-2007 | |
| | | 2149(अ) | दिनांक | 18-08-2009 | |
| | | | | | |
| मंडल/ तेहसिल/ तालुक :काजुलु | | जिला :पूर्वी गोदावरी | | राज्य :आन्ध्र प्रदेश | |
| 1 | पल्लेपालेम | 1145 | दिनांक | 07-04-2003 | 05-09-2009 |
| | | 4475 | दिनांक | 24-11-2006 | |
| | | 2212(अ) | दिनांक | 28-08-2009 | |
| 2 | शीला | 1145 | दिनांक | 07-04-2003 | 15-12-2008 |
| | | 4475 | दिनांक | 24-11-2006 | |

| 1 | 2 | 3 | 4 |
|---------------------|----------------|---|----------------------|
| 3 | काजुलू | 1145 दिनांक 07-04-2003 4421 दिनांक 16-11-2006 4475 दिनांक 24-11-2006 2149(अ) दिनांक 18-08-2009 2212(अ) दिनांक 28-08-2009 | 05-09-2009 |
| 4 | तरलमपूडि | 1145 दिनांक 07-04-2003 4421 दिनांक 16-11-2006 4475 दिनांक 24-11-2006 | 10-05-2009 |
| 5 | जगन्नादगिरि | 1145 दिनांक 07-04-2003 4421 दिनांक 16-11-2006 4475 दिनांक 24-11-2006 | 15-05-2009 |
| मंडल/ तेहसिल/ तालुक | करपा | जिला :पूर्वी गोदावरी | राज्य :आन्ध्र प्रदेश |
| 1 | पेददापुरप्पाडु | 1145 दिनांक 07-04-2003 4475 दिनांक 24-11-2006 | 10-05-2009 |
| 2 | एंडमूरु | 1145 दिनांक 07-04-2003 4475 दिनांक 24-11-2006 | 15-05-2009 |
| 3 | जि। बावारम | 1145 दिनांक 07-04-2003 4475 दिनांक 24-11-2006 | 05-02-2009 |
| 4 | सिरिपुरम | 1145 दिनांक 07-04-2003 4475 दिनांक 24-11-2006 3222 दिनांक 31-10-2007 | 10-02-2009 |
| मंडल/ तेहसिल/ तालुक | रामचंद्रापुरम | जिला :पूर्वी गोदावरी | राज्य :आन्ध्र प्रदेश |
| 1 | कापवरम | 1145 दिनांक 07-04-2003 4475 दिनांक 24-11-2006 3222 दिनांक 31-10-2007 | 01-02-2009 |
| 2 | आंदूरु | 1145 दिनांक 07-04-2003 4475 दिनांक 24-11-2006 | 12-02-2009 |
| 3 | नरसापुरपुपेटा | 1145 दिनांक 07-04-2003 4475 दिनांक 24-11-2006 | 10-05-2009 |
| 4 | अमविकापल्ले | 1145 दिनांक 07-04-2003 4475 दिनांक 24-11-2006 | 10-05-2009 |
| 5 | चोडवरम | 1145 दिनांक 07-04-2003 4475 दिनांक 24-11-2006 3222 दिनांक 31-10-2007 | 15-05-2009 |

| 1 | 2 | 3 | 4 |
|-----------------------------|--------------------------|----------------------|---|
| मंडल/ तेहसिल/ तालुक :शायबरम | जिला :पूर्वी गोदावरी | राज्य :आन्ध्र प्रदेश | |
| 1 नदुरवादा | 1081 दिनांक 03-04-2003 | 15-05-2009 | |
| | 4475 दिनांक 24-11-2006 | | |
| | 583(अ) दिनांक 11-04-2007 | | |
| | 3222 दिनांक 31-10-2007 | | |
| 2 वेदुपका | 1081 दिनांक 03-04-2003 | 25-12-2008 | |
| | 4475 दिनांक 24-11-2006 | | |
| | 583(अ) दिनांक 11-04-2007 | | |
| | 3222 दिनांक 31-10-2007 | | |
| 3 लोल्ल | 1081 दिनांक 03-04-2003 | 25-12-2008 | |
| | 4475 दिनांक 24-11-2006 | | |
| मंडल/ तेहसिल/ तालुक :अनपरति | जिला :पूर्वी गोदावरी | राज्य :आन्ध्र प्रदेश | |
| 1 महेंद्रवाडा | 1081 दिनांक 03-04-2003 | 25-12-2008 | |
| | 4475 दिनांक 24-11-2006 | | |
| 2 रामवरम | 1081 दिनांक 03-04-2003 | 25-12-2008 | |
| | 4475 दिनांक 24-11-2006 | | |
| | 583(अ) दिनांक 11-04-2007 | | |
| | 3222 दिनांक 31-10-2007 | | |
| 3 पोलमू | 1081 दिनांक 03-04-2003 | 25-12-2008 | |
| | 4475 दिनांक 24-11-2006 | | |
| | 3222 दिनांक 31-10-2007 | | |
| मंडल/ तेहसिल/ तालुक :मंडपेट | जिला :पूर्वी गोदावरी | राज्य :आन्ध्र प्रदेश | |
| 1 आर्तमू | 1081 दिनांक 03-04-2003 | 25-12-2008 | |
| | 4475 दिनांक 24-11-2006 | | |
| | 3222 दिनांक 31-10-2007 | | |
| 2 तापेश्वराम | 1081 दिनांक 03-04-2003 | 25-12-2008 | |
| | 4475 दिनांक 24-11-2006 | | |
| | 583(अ) दिनांक 11-04-2007 | | |
| 3 इप्पनपाडु | 1081 दिनांक 03-04-2003 | 25-12-2008 | |
| | 4475 दिनांक 24-11-2006 | | |
| | 583(अ) दिनांक 11-04-2007 | | |
| | 3222 दिनांक 31-10-2007 | | |
| 4 पालतोडु | 1081 दिनांक 03-04-2003 | 05-09-2009 | |
| | 4475 दिनांक 24-11-2006 | | |
| | 583(अ) दिनांक 11-04-2007 | | |

343962/09-7

| 1 | 2 | 3 | 4 |
|-------------------------------|---------------------|-------------------------------------|--|
| 4 | पालतोडु (निरंतर) | 3222 2212 (अ) | दिनांक 31-10-2007 दिनांक 28-08-2009 |
| 5 | वेलगतोडु | 1081 4475 583 (अ) 3222 | दिनांक 03-04-2003 दिनांक 24-11-2006 दिनांक 11-04-2007 दिनांक 31-10-2007 |
| 6 | एडिदा | 770 | दिनांक 01-03-2005 |
| मंडल/ तहसिल/ तालुक : कडियम | | जिला : पूर्वी गोदावरी | राज्य : आन्ध्र प्रदेश |
| 1 | मुमुमांडा | 770 | दिनांक 01-03-2005 |
| मंडल/ तहसिल/ तालुक : आलमू | | जिला : पूर्वी गोदावरी | राज्य : आन्ध्र प्रदेश |
| 1 | मडिकि | 770 | दिनांक 01-03-2005 |
| 2 | बडुगुनिवानिलंक | 770 2212 (अ) | दिनांक 01-03-2005 दिनांक 28-08-2009 |
| 3 | गोतमि गोदावरि रिवर | 770 | दिनांक 01-03-2005 |
| मंडल/ तहसिल/ तालुक : आतेयपुरम | | जिला : पूर्वी गोदावरी | राज्य : आन्ध्र प्रदेश |
| 1 | आतेयपुरम | 770 2212 (अ) | दिनांक 01-03-2005 दिनांक 28-08-2009 |
| 2 | बुच्चिलि | 770 1762 (अ) 3222 | दिनांक 01-03-2005 दिनांक 13-10-2006 दिनांक 31-10-2007 |
| 3 | वसंतवाडा | 770 1762 (अ) 3222 2149 (अ) | दिनांक 01-03-2005 दिनांक 13-10-2006 दिनांक 31-10-2007 दिनांक 18-08-2009 |
| 4 | वशिष्ट गोदावरि रिवर | 770 | दिनांक 01-03-2005 |
| मंडल/ तहसिल/ तालुक : पेरबलि | | जिला : पश्चिमी गोदावरी | राज्य : आन्ध्र प्रदेश |
| 1 | कानुजमिंदारि | 770 1762 (अ) | दिनांक 01-03-2005 दिनांक 13-10-2006 |
| 2 | कानु अग्रहारम | 770 | दिनांक 01-03-2005 |
| 3 | नाडुपल्ले | 770 | दिनांक 01-03-2005 |

| 1 | 2 | 3 | 4 |
|--------------------------------------|--------------------|---|---|
| 3 | नाडुपल्ले (निरंतर) | 1762 (अ) 3223 | दिनांक 13-10-2006 दिनांक 31-10-2007 |
| मंडल/ तहसिल/ तालुक : निडदवोलु | | जिला : पश्चिमी गोदावरी | राज्य : आन्ध्र प्रदेश |
| 1 | मुनिपल्लि | 1762 (अ) 3223 | दिनांक 13-10-2006 15-05-2009 |
| मंडल/ तहसिल/ तालुक : उंचाजवरम | | जिला : पश्चिमी गोदावरी | राज्य : आन्ध्र प्रदेश |
| 1 | वेलिवेनु | 1762 (अ) 3223 2149 (अ) | दिनांक 13-10-2006 दिनांक 31-10-2007 दिनांक 18-08-2009 |
| 2 | काल्युरि | 770 1762 (अ) | दिनांक 01-03-2005 दिनांक 13-10-2006 |
| मंडल/ तहसिल/ तालुक : ताडेपल्लि गूडेम | | जिला : पश्चिमी गोदावरी | राज्य : आन्ध्र प्रदेश |
| 1 | नंदमूरु | 1762 (अ) 3223 2212 (अ) | दिनांक 13-10-2006 दिनांक 31-10-2007 दिनांक 28-08-2009 |
| 2 | जगन्नाद पुरम | 770 1762 (अ) 3223 2149 (अ) 2212 (अ) | दिनांक 01-03-2005 दिनांक 13-10-2006 दिनांक 31-10-2007 दिनांक 18-08-2009 दिनांक 28-08-2009 |
| 3 | आरुगोलु | 770 1762 (अ) 3223 2149 (अ) | दिनांक 01-03-2005 दिनांक 13-10-2006 दिनांक 31-10-2007 दिनांक 18-08-2009 |
| 4 | कुन्धनपल्लि | 770 1762 (अ) 3223 | दिनांक 01-03-2005 दिनांक 13-10-2006 दिनांक 31-10-2007 |
| 5 | कोन्डुप्रोलु | 770 1762 (अ) 3223 2149 (अ) | दिनांक 01-03-2005 दिनांक 13-10-2006 दिनांक 31-10-2007 दिनांक 18-08-2009 |

| 1 | 2 | 3 | 4 |
|--------------------------------|-------------|--|---|
| 6 | ताडेपल्ले | 770 1762 (अ) 3223 2212 (अ) | दिनांक 01-03-2005 दिनांक 13-10-2006 दिनांक 31-10-2007 दिनांक 28-08-2009 |
| मंडल/ तेहसिल/ तालुक : उंगुदूरु | | | |
| | | जिला : पश्चिमी गोदावरी | राज्य : आन्ध्र प्रदेश |
| 1 | वादमपुडि | 1114 2078 (अ) | दिनांक 21-03-2005 दिनांक 06-12-2006 |
| 2 | यल्लामिल्लि | 1114 2078 (अ) 3223 2149 (अ) 2212 (अ) | दिनांक 21-03-2005 दिनांक 06-12-2006 दिनांक 31-10-2007 दिनांक 18-08-2009 दिनांक 28-08-2009 |
| 3 | उंगुदूरु | 1114 2078 (अ) 3223 | दिनांक 21-03-2005 दिनांक 06-12-2006 दिनांक 31-10-2007 |
| 4 | चेयोलु | 1114 3223 | दिनांक 21-03-2005 दिनांक 31-10-2007 |
| 5 | कैकागाम | 1114 3223 | दिनांक 21-03-2005 दिनांक 31-10-2007 |
| मंडल/ तेहसिल/ तालुक : भिमडोलु | | | |
| | | जिला : पश्चिमी गोदावरी | राज्य : आन्ध्र प्रदेश |
| 1 | पूला | 1114 2078 (अ) 3223 2149 (अ) 2212 (अ) | दिनांक 21-03-2005 दिनांक 06-12-2006 दिनांक 31-10-2007 दिनांक 18-08-2009 दिनांक 28-08-2009 |
| 2 | अम्बारपेटा | 1114 2149 (अ) 2212 (अ) | दिनांक 21-03-2005 दिनांक 18-08-2009 दिनांक 28-08-2009 |
| 3 | भिमडोलु | 1114 2078 (अ) | दिनांक 21-03-2005 दिनांक 06-12-2006 |

| 1 | 2 | 3 | 4 |
|-------------------------------|------------------|--|--|
| 3 | भिमडोलु (निरंतर) | 32 23 2 149 (अ) | दिनांक 31-10-2007 दिनांक 18-08-2009 |
| 4 | सुरप्पागुडेम | 1114 | दिनांक 21-03-2005 15-11-2008 |
| 5 | गुन्दुगोलनु | 1114 32 23 2 149 (अ) | दिनांक 21-03-2005 30-08-2009 दिनांक 31-10-2007 दिनांक 18-08-2009 |
| मंडल/ तेहसिल/ तालुक : देंदुलु | | जिला : पश्चिमी गोदावरी राज्य : आन्ध्र प्रदेश | |
| 1 | सिंगवरम | 1114 | दिनांक 21-03-2005 15-11-2008 |
| 2 | कोमिरेप्पल्लि | 1114 32 23 2 149 (अ) | दिनांक 21-03-2005 30-08-2009 दिनांक 31-10-2007 दिनांक 18-08-2009 |
| 3 | देंदुलु | 1114 32 23 2 2 12 (अ) | दिनांक 21-03-2005 05-09-2009 दिनांक 31-10-2007 दिनांक 28-08-2009 |
| 4 | कोत्तगूडेम | 1114 | दिनांक 21-03-2005 01-11-2008 |
| 5 | उप्पुगूडेम | 1114 | दिनांक 21-03-2005 01-11-2008 |
| 6 | वेगावराम | 1114 | दिनांक 21-03-2005 01-11-2008 |
| 7 | कोत्तपल्लि | 1114 2 2 12 (अ) | दिनांक 21-03-2005 05-09-2009 दिनांक 28-08-2009 |
| 8 | चल्लपल्लि | 1114 32 23 | दिनांक 21-03-2005 01-11-2008 दिनांक 31-10-2007 |
| मंडल/ तेहसिल/ तालुक : एल्लु | | जिला : पश्चिमी गोदावरी राज्य : आन्ध्र प्रदेश | |
| 1 | चोडिमेल्ला | 1116 32 23 | दिनांक 21-03-2005 01-11-2008 दिनांक 31-10-2007 |
| मंडल/ तेहसिल/ तालुक : पेदवेगि | | जिला : पश्चिमी गोदावरी राज्य : आन्ध्र प्रदेश | |
| 1 | वंगूर | 1116 32 23 | दिनांक 21-03-2005 01-11-2008 दिनांक 31-10-2007 |
| 2 | जगन्नादपुरमु | 1116 | दिनांक 21-03-2005 01-11-2008 |
| 3 | पिनकडिमि | 1116 32 23 | दिनांक 21-03-2005 01-11-2008 दिनांक 31-10-2007 |

| 1 | 2 | 3 | 4 |
|---|----------|----------|-------------------|
| 4 | कोप्पाका | 1116 | दिनांक 21-03-2005 |
| | | 3223 | दिनांक 31-10-2007 |
| | | 2212 (अ) | दिनांक 28-08-2009 |

पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 की धारा 17 के अन्तर्गत संरक्षित पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत भारत सरकार के राजपत्र के प्रकाशनार्थ.

[प्र. सं. एल-14014/38/2009-जी.पी.]

के.के.शर्मा, अवर सचिव

New Delhi, the 30th September, 2009

S. O. 2713.— In pursuance of powers conferred by Explanation 1 in sub-rule (1) of Rule 4 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules, 1963, 1, K. Gangachalam, appointed by Government of India, Ministry of Petroleum & Natural Gas vide Notification S.O.3962 dated 25th October, 2005 (published in the Gazette of India on 29th October, 2005) under Section 2(a) of the Petroleum & Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962(50 of 1962) to perform the functions of Competent Authority for laying natural gas pipelines by M/s Reliance Gas Transportation Infrastructure Limited (RGTIL) in the State of Andhra Pradesh, in consultation with M/s RGTIL, to whom the Right of User in the land in that area has been vested and in whom the ownership of the pipeline in that area vests, hereby declare the dates, mentioned in Column 4 of the Schedule annexed herewith, as the dates of termination of RoU operation in Districts East Godavari and West Godavari in the State of Andhra Pradesh.

Schedule

| Mandal/Tehsil/Taluk: Tallarevu | | District: East Godavari | | State: Andhra Pradesh | |
|--------------------------------|------------|--|------|----------------------------------|------------|
| Sl. No. | Village | S.O. No. and Date of Notification under sub-section (1) of Section 6 | | Date of Termination of Operation | |
| 1 | 2 | 3 | | 4 | |
| 1 | Polekurru | 1145 | Date | 07-04-2003 | 05-09-2009 |
| | | 4421 | Date | 16-11-2006 | |
| | | 4475 | Date | 24-11-2006 | |
| | | 3222 | Date | 31-10-2007 | |
| | | 2149(E) | Date | 18-08-2009 | |
| | | 2212(E) | Date | 28-08-2009 | |
| 2 | Mallavaram | 1145 | Date | 07-04-2003 | 30-08-2009 |
| | | 4421 | Date | 16-11-2006 | |
| | | 4475 | Date | 24-11-2006 | |
| | | 3222 | Date | 31-10-2007 | |
| | | 2149(E) | Date | 18-08-2009 | |

| Mandal/Tehsil/Taluk : Kajuluru | | | District : East Godavari | | State : Andhra Pradesh |
|--|-----------------|---------|--------------------------|------------|------------------------|
| 1 | 2 | | 3 | | 4 |
| 1 | Pallepalem | 1145 | Date | 07-04-2003 | 05-09-2009 |
| | | 4475 | Date | 24-11-2006 | |
| | | 2212(E) | Date | 28-08-2009 | |
| 2 | Sila | 1145 | Date | 07-04-2003 | 15-12-2008 |
| | | 4475 | Date | 24-11-2006 | |
| 3 | Kajuluru | 1145 | Date | 07-04-2003 | 05-09-2009 |
| | | 4421 | Date | 16-11-2006 | |
| | | 4475 | Date | 24-11-2006 | |
| | | 2149(E) | Date | 18-08-2009 | |
| | | 2212(E) | Date | 28-08-2009 | |
| 4 | Tarlamapudi | 1145 | Date | 07-04-2003 | 10-05-2009 |
| | | 4421 | Date | 16-11-2006 | |
| | | 4475 | Date | 24-11-2006 | |
| 5 | Jagannadhagiri | 1145 | Date | 07-04-2003 | 15-05-2009 |
| | | 4421 | Date | 16-11-2006 | |
| | | 4475 | Date | 24-11-2006 | |
| Mandal/Tehsil/Taluk : Karapa | | | District : East Godavari | | State : Andhra Pradesh |
| 1 | Peddapurappadu | 1145 | Date | 07-04-2003 | 10-05-2009 |
| | | 4475 | Date | 24-11-2006 | |
| 2 | Endamuru | 1145 | Date | 07-04-2003 | 15-05-2009 |
| | | 4475 | Date | 24-11-2006 | |
| 3 | G.Bhavaram | 1145 | Date | 07-04-2003 | 05-02-2009 |
| | | 4475 | Date | 24-11-2006 | |
| 4 | Siripuram | 1145 | Date | 07-04-2003 | 10-02-2009 |
| | | 4475 | Date | 24-11-2006 | |
| | | 3222 | Date | 31-10-2007 | |
| Mandal/Tehsil/Taluk : Ramachandrapuram | | | District : East Godavari | | State : Andhra Pradesh |
| 1 | Kapavaram | 1145 | Date | 07-04-2003 | 01-02-2009 |
| | | 4475 | Date | 24-11-2006 | |
| | | 3222 | Date | 31-10-2007 | |
| 2 | Oduru | 1145 | Date | 07-04-2003 | 12-02-2009 |
| | | 4475 | Date | 24-11-2006 | |
| 3 | Narsapurapupeta | 1145 | Date | 07-04-2003 | 10-05-2009 |
| | | 4475 | Date | 24-11-2006 | |

| 1 | 2 | 3 | 4 |
|--|--------------|---------------------------------|--|
| 4 | Ambikapalle | 1145 4475 | Date 07-04-2003 Date 24-11-2006 10-05-2009 |
| 5 | Chodavaram | 1145 4475 3222 | Date 07-04-2003 Date 24-11-2006 Date 31-10-2007 15-05-2009 |
| Mandal/Tehsil/Taluk : Rayavaram District : East Godavari State : Andhra Pradesh | | | |
| 1 | Nadurubada | 1081 4475 583 (E) 3222 | Date 03-04-2003 Date 24-11-2006 Date 11-04-2007 Date 31-10-2007 15-05-2009 |
| 2 | Vedurupaka | 1081 4475 583 (E) 3222 | Date 03-04-2003 Date 24-11-2006 Date 11-04-2007 Date 31-10-2007 25-12-2008 |
| 3 | Lolla | 1081 4475 | Date 03-04-2003 Date 24-11-2006 25-12-2008 |
| Mandal/Tehsil/Taluk : Anaparthi District : East Godavari State : Andhra Pradesh | | | |
| 1 | Mahendravada | 1081 4475 | Date 03-04-2003 Date 24-11-2006 25-12-2008 |
| 2 | Ramavaram | 1081 4475 583 (E) 3222 | Date 03-04-2003 Date 24-11-2006 Date 11-04-2007 Date 31-10-2007 25-12-2008 |
| 3 | Polamaru | 1081 4475 3222 | Date 03-04-2003 Date 24-11-2006 Date 31-10-2007 25-12-2008 |
| Mandal/Tehsil/Taluk : Mandapeta District : East Godavari State : Andhra Pradesh | | | |
| 1 | Artamuru | 1081 4475 3222 | Date 03-04-2003 Date 24-11-2006 Date 31-10-2007 25-12-2008 |
| 2 | Tapeswaram | 1081 4475 583 (E) | Date 03-04-2003 Date 24-11-2006 Date 11-04-2007 25-12-2008 |

| 1 | 2 | 3 | 4 |
|--|------------------------|--|--|
| 3 | Ippenapadu | 1081 4475 583 (E) 3222 | Date Date Date Date 03-04-2003 24-11-2006 11-04-2007 31-10-2007 25-12-2008 |
| 4 | Palatodu | 1081 4475 583 (E) 3222 2212(E) | Date Date Date Date Date 03-04-2003 24-11-2006 11-04-2007 31-10-2007 28-08-2009 05-09-2009 |
| 5 | Velagatodu | 1081 4475 583 (E) 3222 | Date Date Date Date 03-04-2003 24-11-2006 11-04-2007 31-10-2007 25-12-2008 |
| 6 | Edida | 770 | Date 01-03-2005 25-12-2008 |
| Mandal/Tehsil/Taluk : Kadiyam District : East Godavari State : Andhra Pradesh | | | |
| 1 | Muramanda | 770 | Date 01-03-2005 25-12-2008 |
| Mandal/Tehsil/Taluk : Alamuru District : East Godavari State : Andhra Pradesh | | | |
| 1 | Madiki | 770 | Date 01-03-2005 25-12-2008 |
| 2 | Badugunivanilanka | 770 2212(E) | Date Date 01-03-2005 28-08-2009 05-09-2009 |
| 3 | Gowtami Godavari River | 770 | Date 01-03-2005 01-11-2008 |
| Mandal/Tehsil/Taluk : Atreyapuram District : East Godavari State : Andhra Pradesh | | | |
| 1 | Atreyapuram | 770 2212(E) | Date Date 01-03-2005 28-08-2009 05-09-2009 |
| 2 | Vuchchilli | 770 1762 (E) 3222 | Date Date Date 01-03-2005 13-10-2006 31-10-2007 15-11-2008 |
| 3 | Vasantavada | 770 1762 (E) 3222 2149(E) | Date Date Date Date 01-03-2005 13-10-2006 31-10-2007 18-08-2009 30-08-2009 |
| 4 | Vasista Godavari River | 770 | Date 01-03-2005 01-11-2008 |
| Mandal/Tehsil/Taluk : Peravali District : West Godavari State : Andhra Pradesh | | | |
| 1 | Kanuru (Zamindari) | 770 1762 (E) | Date Date 01-03-2005 13-10-2006 01-11-2008 |

| 1 | 2 | 3 | 4 |
|---|--------------------|--------------------------|------------|
| 2 | Kanuru (Agraharam) | 770 Date 01-03-2005 | 01-11-2008 |
| 3 | Nadupalle | 770 Date 01-03-2005 | 20-12-2008 |
| | | 1762 (E) Date 13-10-2006 | |
| | | 3223 Date 31-10-2007 | |
| Mandal/Tehsil/Taluk : Nidadhavolu District : West Godavari State : Andhra Pradesh | | | |
| 1 | Munipalli | 1762 (E) Date 13-10-2006 | 15-05-2009 |
| Mandal/Tehsil/Taluk : Undraja Varam District : West Godavari State : Andhra Pradesh | | | |
| 1 | Velivenu | 1762 (E) Date 13-10-2006 | 30-08-2009 |
| | | 3223 Date 31-10-2007 | |
| | | 2149(E) Date 18-08-2009 | |
| 2 | Kaldhari | 770 Date 01-03-2005 | 20-05-2009 |
| | | 1762 (E) Date 13-10-2006 | |
| Mandal/Tehsil/Taluk : Tadepalligudem District : West Godavari State : Andhra Pradesh | | | |
| 1 | Nandamuru | 1762 (E) Date 13-10-2006 | 05-09-2009 |
| | | 3223 Date 31-10-2007 | |
| | | 2212(E) Date 28-08-2009 | |
| 2 | Jagannadhapuram | 770 Date 01-03-2005 | 05-09-2009 |
| | | 1762 (E) Date 13-10-2006 | |
| | | 3223 Date 31-10-2007 | |
| | | 2149(E) Date 18-08-2009 | |
| | | 2212(E) Date 28-08-2009 | |
| 3 | Arugolanu | 770 Date 01-03-2005 | 30-08-2009 |
| | | 1762 (E) Date 13-10-2006 | |
| | | 3223 Date 31-10-2007 | |
| | | 2149(E) Date 18-08-2009 | |
| 4 | Kunchanapalli | 770 Date 01-03-2005 | 28-12-2008 |
| | | 1762 (E) Date 13-10-2006 | |
| | | 3223 Date 31-10-2007 | |
| 5 | Kondruprolu | 770 Date 01-03-2005 | 30-08-2009 |
| | | 1762 (E) Date 13-10-2006 | |
| | | 3223 Date 31-10-2007 | |
| | | 2149(E) Date 18-08-2009 | |

| 1 | 2 | 3 | 4 |
|---|-----------|------------------------------------|--|
| 6 | Tadepalle | 770 1762 (E) 3223 2212(E) | Date 01-03-2005 Date 13-10-2006 Date 31-10-2007 Date 28-08-2009 |

| Mandal/Tehsil/Taluk : Unguturu | | District : West Godavari | | State : Andhra Pradesh |
|--------------------------------|------------|--|---|------------------------|
| 1 | Badampudi | 1114 2078 (E) | Date 21-03-2005 Date 06-12-2006 | 28-12-2008 |
| 2 | Yellamilli | 1114 2078 (E) 3223 2149(E) 2212(E) | Date 21-03-2005 Date 06-12-2006 Date 31-10-2007 Date 18-08-2009 Date 28-08-2009 | 05-09-2009 |
| 3 | Unguturu | 1114 2078 (E) 3223 | Date 21-03-2005 Date 06-12-2006 Date 31-10-2007 | 10-05-2009 |
| 4 | Chebrolu | 1114 3223 | Date 21-03-2005 Date 31-10-2007 | 12-05-2009 |
| 5 | Kaikaram | 1114 3223 | Date 21-03-2005 Date 31-10-2007 | 15-05-2009 |

| Mandal/Tehsil/Taluk : Bhimadolu | | District : West Godavari | | State : Andhra Pradesh |
|---------------------------------|-----------|--|---|------------------------|
| 1 | Pulla | 1114 2078 (E) 3223 2149(E) 2212(E) | Date 21-03-2005 Date 06-12-2006 Date 31-10-2007 Date 18-08-2009 Date 28-08-2009 | 05-09-2009 |
| 2 | Ambarpeta | 1114 2149(E) 2212(E) | Date 21-03-2005 Date 18-08-2009 Date 28-08-2009 | 05-09-2009 |
| 3 | Bhimadolu | 1114 2078 (E) | Date 21-03-2005 Date 06-12-2006 | 30-08-2009 |

| 1 | 2 | 3 | 4 |
|--|-------------------|---|------------|
| 3 | Bhimadolu(Contd.) | 3223 Date 31-10-2007 2149(E) Date 18-08-2009 | |
| 4 | Surappagudem | 1114 Date 21-03-2005 | 15-11-2008 |
| 5 | Gundugolanu | 1114 Date 21-03-2005 3223 Date 31-10-2007 2149(E) Date 18-08-2009 | 30-08-2009 |
| Mandal/Tehsil/Taluk : Denduluru District : West Godavari State : Andhra Pradesh | | | |
| 1 | Singavaram | 1114 Date 21-03-2005 | 15-11-2008 |
| 2 | Komirepalle | 1114 Date 21-03-2005 3223 Date 31-10-2007 2149(E) Date 18-08-2009 | 30-08-2009 |
| 3 | Denduluru | 1114 Date 21-03-2005 3223 Date 31-10-2007 2212(E) Date 28-08-2009 | 05-09-2009 |
| 4 | Kothagudem | 1114 Date 21-03-2005 | 01-11-2008 |
| 5 | Uppugudem | 1114 Date 21-03-2005 | 01-11-2008 |
| 6 | Vegavaram | 1114 Date 21-03-2005 | 01-11-2008 |
| 7 | Kothapalli | 1114 Date 21-03-2005 2212(E) Date 28-08-2009 | 05-09-2009 |
| 8 | Challapalli | 1114 Date 21-03-2005 3223 Date 31-10-2007 | 01-11-2008 |
| Mandal/Tehsil/Taluk : Eluru District : West Godavari State : Andhra Pradesh | | | |
| 1 | Chodimella | 1116 Date 21-03-2005 3223 Date 31-10-2007 | 01-11-2008 |
| Mandal/Tehsil/Taluk : Pedavegi District : West Godavari State : Andhra Pradesh | | | |
| 1 | Vanguru | 1116 Date 21-03-2005 3223 Date 31-10-2007 | 01-11-2008 |
| 2 | Jagannadhapuram | 1116 Date 21-03-2005 | 01-11-2008 |
| 3 | Pinakadimi | 1116 Date 21-03-2005 3223 Date 31-10-2007 | 01-11-2008 |

| 1 | 2 | 3 | 4 |
|---|---------|-------------------------|------------|
| 4 | Koppaka | 1116 Date 21-03-2005 | 05-09-2009 |
| | | 3223 Date 31-10-2007 | |
| | | 2212(E) Date 28-08-2009 | |

To be published under Rule 4 of the P&MP (ARUL) Rules, 1963, framed under Section 17 of P&MP (ARUL) Act, 1962 in official Gazette of India.

[F. No. L-14014/38/2009-G.P.
K.K.SHARMA, Under Secy.

नई दिल्ली, 30 सितम्बर, 2009

का. आ. 2714.—पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) के नियम 2 (क) के अन्तर्गत, मैसर्स गिलांस गैस ट्रांसपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड (आर.जी.टी.आई.एल.) के द्वारा आन्ध्र प्रदेश राज्य में प्राकृतिक गैस पाइपलाइन विछाई जाने हेतु सक्षम प्राधिकारी के कार्यों का निर्वहन करने के लिए, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की, भारत के राजपत्र दिनांक 26 अप्रैल, 2007 को प्रकाशित, अधिमूचना का.आ. 653(अ) दिनांक 25 अप्रैल, 2007 द्वारा पदस्थापित, में, एम.ए.गफ्फार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियमावली, 1963 के नियम 4 के उप नियम (1) के नीचे दी गई व्याख्या (1) के अन्तर्गत अधिकारों के अनुपालन में, मैसर्स आर.जी.टी.आई.एल., जिसमें यथास्थित, उस क्षेत्र में भूमि में उपयोग का अधिकार निहित किया गया है और उस क्षेत्र में पाइपलाइन का स्वामित्व निहित है, के परामर्श में, संलग्न अनुसूची के स्तम्भ 4 में आन्ध्र प्रदेश राज्य के कृष्णा और खम्मम जिले में यथा उल्लेखित प्राकृतिक गैस पाइपलाइन विछाई जाने के प्रचालन की समाप्ति की तारीखों की घोषित करता हूँ।

अनुसूची

| मंडल/ तेहसिल/ तालुक : बापुलपाडु | | जिला : कृष्णा | | राज्य : आन्ध्र प्रदेश |
|---------------------------------|---------------|---------------------------------------|-------------------|-----------------------------|
| क. स. | ग्राम का नाम | धारा 6(1) की का. आ. संख्या एवं दिनांक | | प्रचालन की समाप्ति की तारीख |
| 1 | 2 | 3 | | 4 |
| 1 | मेडिचेगला | 1116 | दिनांक 21-03-2005 | 22-08-2008 |
| | | 1041 | दिनांक 08-05-2008 | |
| 2 | विल्लानापल्लि | 1116 | दिनांक 21-03-2005 | 08-12-2008 |

| मंडल/ तेहसिल/ तालुक : नूजिविडु | | जिला : कृष्णा | | राज्य : आन्ध्र प्रदेश |
|--------------------------------|---------|---------------|-------------------|-----------------------|
| 1 | वांपाडु | 1116 | दिनांक 21-03-2005 | 05-09-2009 |
| | | 1041 | दिनांक 08-05-2008 | |
| | | 2212 (अ) | दिनांक 28-08-2009 | |

| 1 | 2 | 3 | 4 |
|----------------------------------|------------------------|----------------------------|-----------------------|
| 2 | मोरसापुडि | 1116 दिनांक 21-03-2005 | 29-10-2008 |
| | | 1041 दिनांक 08-05-2008 | |
| 3 | पोलसानपल्लि | 1116 दिनांक 21-03-2005 | 29-10-2008 |
| | | 1763 (अ) दिनांक 13-10-2006 | |
| | | 1041 दिनांक 08-05-2008 | |
| 4 | राविचोरला | 1116 दिनांक 21-03-2005 | 06-10-2008 |
| | | 1041 दिनांक 08-05-2008 | |
| मंडल/ तेहसिल/ तालुक : आगिरिपल्लि | | जिला : कृष्णा | राज्य : आन्ध्र प्रदेश |
| 1 | वटिगुडिपाडु | 1116 दिनांक 21-03-2005 | 05-11-2008 |
| | | 1041 दिनांक 08-05-2008 | |
| 2 | एडाग | 1116 दिनांक 21-03-2005 | 07-10-2008 |
| | | 1041 दिनांक 08-05-2008 | |
| 3 | वडलमानु | 1116 दिनांक 21-03-2005 | 07-10-2008 |
| 4 | मल्लिवोयिनपल्लि (इनाम) | 1116 दिनांक 21-03-2005 | 23-01-2009 |
| 5 | वोडडनपल्लि | 1116 दिनांक 21-03-2005 | 05-09-2009 |
| | | 1763 (अ) दिनांक 13-10-2006 | |
| | | 1041 दिनांक 08-05-2008 | |
| | | 2212 (अ) दिनांक 28-08-2009 | |
| मंडल/ तेहसिल/ तालुक : जी. कोंडूर | | जिला : कृष्णा | राज्य : आन्ध्र प्रदेश |
| 1 | कोडूरु | 635 दिनांक 23-02-2005 | 19-12-2008 |
| | | 1041 दिनांक 08-05-2008 | |
| 2 | वेल्लाटूरु | 635 दिनांक 23-02-2005 | 05-09-2009 |
| | | 1041 दिनांक 08-05-2008 | |
| | | 2212 (अ) दिनांक 28-08-2009 | |
| 3 | भीमावरप्पाडु | 635 दिनांक 23-02-2005 | 14-10-2008 |
| 4 | नंदिगामा | 635 दिनांक 23-02-2005 | 14-10-2008 |
| 5 | कुंटामुक्काला | 635 दिनांक 23-02-2005 | 23-01-2009 |
| | | 1041 दिनांक 08-05-2008 | |
| 6 | चेवुटूरु | 635 दिनांक 23-02-2005 | 23-10-2008 |
| | | 1041 दिनांक 08-05-2008 | |
| 7 | जी. कोंडूरु | 635 दिनांक 23-02-2005 | 23-10-2008 |
| | | 1041 दिनांक 08-05-2008 | |

| 1 | 2 | 3 | 4 |
|--------------------------------------|-----------------|---|-----------------------|
| 8 | गड्डामनगु | 635 दिनांक 23-02-2005 1041 दिनांक 08-05-2008 | 23-10-2008 |
| 9 | चेरुवुमाधावरम् | 635 दिनांक 23-02-2005 | 31-03-2009 |
| 10 | मुन्नगापाडु | 635 दिनांक 23-02-2005 1041 दिनांक 08-05-2008 | 31-03-2009 |
| 11 | सुन्नपाडू | 635 दिनांक 23-02-2005 1041 दिनांक 08-05-2008 | 18-08-2008 |
| 12 | तेल्लादेवरापाडू | 635 दिनांक 23-02-2005 2 2 12 (अ) दिनांक 28-08-2009 | 05-09-2009 |
| 13 | गंगिनेनिपालेम् | 635 दिनांक 23-02-2005 1041 दिनांक 08-05-2008 2 2 12 (अ) दिनांक 28-08-2009 | 05-09-2009 |
| 14 | पेटपाडू | 635 दिनांक 23-02-2005 | 13-10-2008 |
| 15 | दुग्गिगलापाडु | 635 दिनांक 23-02-2005 | 12-01-2009 |
| मंडल/ तेहसिल/ तालुक : वीरुलापाडू | | जिला : कृष्णा | राज्य : आन्ध्र प्रदेश |
| 1 | गुडेम माधावरम् | 635 दिनांक 23-02-2005 1041 दिनांक 08-05-2008 2 2 12 (अ) दिनांक 28-08-2009 | 05-09-2009 |
| 2 | जयंति | 635 दिनांक 23-02-2005 1041 दिनांक 08-05-2008 2 149 (अ) दिनांक 18-08-2009 | 30-08-2009 |
| 3 | वीरुलापाडू | 635 दिनांक 23-02-2005 | 13-11-2008 |
| मंडल/ तेहसिल/ तालुक : नंदिगामा | | जिला : कृष्णा | राज्य : आन्ध्र प्रदेश |
| 1 | दामूलू | 635 दिनांक 23-02-2005 287 दिनांक 02-02-2007 | 07-04-2009 |
| 2 | तांगुडिपाडू | 287 दिनांक 02-02-2007 | 31-01-2009 |
| 3 | गमिगेडिडपल्लि | 635 दिनांक 23-02-2005 287 दिनांक 02-02-2007 | 27-10-2008 |
| मंडल/ तेहसिल/ तालुक : पेरुगंचिप्रोलु | | जिला : कृष्णा | राज्य : आन्ध्र प्रदेश |
| 1 | गुम्माडिदुर्गम् | 933 दिनांक 07-03-2005 1603 (अ) दिनांक 25-09-2006 | 21-11-2008 |
| 2 | अनिगंडलापाडु | 933 दिनांक 07-03-2005 | 06-12-2008 |

| 1 | 2 | 3 | 4 |
|---------------------------------------|-----------------|---------------------------|-----------------------|
| 3 | पेनुगचिपोलु | 933 दिनांक 07-03-2005 | 09-12-2008 |
| | | 1603(अ) दिनांक 25-09-2006 | |
| | | 1041 दिनांक 08-05-2008 | |
| 4 | लिंगागूडेम् | 933 दिनांक 07-03-2005 | 15-10-2008 |
| मंडल/ तेहसिल/ तालुक : वत्सवायि | | जिला : कृष्णा | राज्य : आन्ध्र प्रदेश |
| 1 | भीमावरम् | 933 दिनांक 07-03-2005 | 15-10-2008 |
| 2 | मक्कापेटा | 933 दिनांक 07-03-2005 | 05-09-2009 |
| | | 2149(अ) दिनांक 18-08-2009 | |
| | | 2212(अ) दिनांक 28-08-2009 | |
| 3 | गोपिनेनिपालेम् | 933 दिनांक 07-03-2005 | 10-05-2008 |
| 4 | मंगोल्लू | 933 दिनांक 07-03-2005 | 05-09-2009 |
| | | 2212(अ) दिनांक 28-08-2009 | |
| 5 | देचुपालेम् | 933 दिनांक 07-03-2005 | 10-05-2008 |
| 6 | वीराभदुनिपालेम् | 933 दिनांक 07-03-2005 | 10-05-2008 |
| मंडल/ तेहसिल/ तालुक : जगग्यापेटा | | जिला : कृष्णा | राज्य : आन्ध्र प्रदेश |
| 1 | तिरुमलागिरि | 933 दिनांक 07-03-2005 | 10-05-2008 |
| 2 | रामाचंदुनिपेटा | 933 दिनांक 07-03-2005 | 10-05-2008 |
| 3 | तक्केल्लापाडू | 933 दिनांक 07-03-2005 | 10-05-2008 |
| मंडल/ तेहसिल/ तालुक : मधिरा | | जिला : खम्मम | राज्य : आन्ध्र प्रदेश |
| 1 | चिल्कूटु | 635 दिनांक 23-02-2005 | 13-11-2008 |
| | | 287 दिनांक 02-02-2007 | |
| मंडल/ तेहसिल/ तालुक : नेलाकॉंडा पल्लि | | जिला : खम्मम | राज्य : आन्ध्र प्रदेश |
| 1 | कडुकाचावरम् | 933 दिनांक 07-03-2005 | 10-05-2008 |

पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 की धारा 17 के अन्तर्गत संरचित पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत भारत सरकार के राजपत्र के प्रकाशनार्थ.

[फा. सं. एल-14014/39/2009-जी.पी.
के.के.शर्मा, अवर सचिव]

New Delhi, the 30th September, 2009

S. O. 2714.— In pursuance of powers conferred by Explanation 1 in sub-rule (1) of Rule 4 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules, 1963, I, M.A.Gaffar, appointed by Government of India, Ministry of Petroleum & Natural Gas vide Notification S.O.653(E) dated 25th April, 2007 (published in the Gazette of India on 26th April, 2007) under Section 2(a) of the Petroleum & Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962(50 of 1962) to perform the functions of Competent Authority for laying natural gas pipelines by M/s Reliance Gas Transportation Infrastructure Limited (RGTEL) in the State of Andhra Pradesh, in consultation with M/s RGTEL, to whom the Right of User in the land in that area has been vested and in whom the ownership of the pipeline in that area vests, hereby declare the dates, mentioned in Column 4 of the Schedule annexed herewith, as the dates of termination of RoU operation in Districts Krishna and Khammam in the State of Andhra Pradesh.

Schedule

| Mandal/Tehsil/Taluk : Bapulapadu | | District : Krishna | | State : Andhra Pradesh | |
|----------------------------------|---------------|--|------|----------------------------------|------------|
| Sl. No. | Village | S.O. No. and Date of Notification under sub-section (1) of Section 6 | | Date of Termination of Operation | |
| 1 | 2 | 3 | | 4 | |
| 1 | Medicherla | 1116 | Date | 21-03-2005 | 22-08-2008 |
| | | 1041 | Date | 08-05-2008 | |
| 2 | Billanapalli | 1116 | Date | 21-03-2005 | 08-12-2008 |
| Mandal/Tehsil/Taluk : Nuzvid | | District : Krishna | | State : Andhra Pradesh | |
| 1 | Vempadu | 1116 | Date | 21-03-2005 | 05-09-2009 |
| | | 1041 | Date | 08-05-2008 | |
| | | 2212(E) | Date | 28-08-2009 | |
| 2 | Morsapudi | 1116 | Date | 21-03-2005 | 29-10-2008 |
| | | 1041 | Date | 08-05-2008 | |
| 3 | Polasanapalli | 1116 | Date | 21-03-2005 | 29-10-2008 |
| | | 1763 (E) | Date | 13-10-2008 | |
| | | 1041 | Date | 08-05-2008 | |
| 4 | Ravicherala | 1116 | Date | 21-03-2005 | 06-10-2008 |
| | | 1041 | Date | 08-05-2008 | |
| Mandal/Tehsil/Taluk : Agiripalli | | District : Krishna | | State : Andhra Pradesh | |
| 1 | Vattigudipadu | 1116 | Date | 21-03-2005 | 05-11-2008 |
| | | 1041 | Date | 08-05-2008 | |
| 2 | Edara | 1116 | Date | 21-03-2005 | 07-10-2008 |
| | | 1041 | Date | 08-05-2008 | |

| 1 | 2 | 3 | 4 |
|--|------------------------|---------------------------|-------------------------------|
| 3 | Vadlamanu | 1116 Date 21-03-2005 | 07-10-2008 |
| 4 | Malliboyinapalli(Inam) | 1116 Date 21-03-2005 | 23-01-2009 |
| 5 | Boddanapalli | 1116 Date 21-03-2005 | 05-09-2009 |
| | | 1763 (E) Date 13-10-2006 | |
| | | 1041 Date 08-05-2008 | |
| | | 2212(E) Date 28-08-2009 | |
| Mandal/Tehsil/Taluk : G.Konduru | | District : Krishna | State : Andhra Pradesh |
| 1 | Koduru | 635 Date 23-02-2005 | 19-12-2008 |
| | | 1041 Date 08-05-2008 | |
| 2 | Vellaturu | 635 Date 23-02-2005 | 05-09-2009 |
| | | 1041 Date 08-05-2008 | |
| | | 2212(E) Date 28-08-2009 | |
| 3 | Bhimavarappadu | 635 Date 23-02-2005 | 14-10-2008 |
| 4 | Nandigama | 635 Date 23-02-2005 | 14-10-2008 |
| 5 | Kuntamukkala | 635 Date 23-02-2005 | 23-01-2009 |
| | | 1041 Date 08-05-2008 | |
| 6 | Chevuturu | 635 Date 23-02-2005 | 23-10-2008 |
| | | 1041 Date 08-05-2008 | |
| 7 | G.Konduru | 635 Date 23-02-2005 | 23-10-2008 |
| | | 1041 Date 08-05-2008 | |
| 8 | Gaddamanugu | 635 Date 23-02-2005 | 23-10-2008 |
| | | 1041 Date 08-05-2008 | |
| 9 | Cheruvumadhavaram | 635 Date 23-02-2005 | 31-03-2009 |
| 10 | Munagapadu | 635 Date 23-02-2005 | 31-03-2009 |
| | | 1041 Date 08-05-2008 | |
| 11 | Sunnampadu | 635 Date 23-02-2005 | 18-08-2008 |
| | | 1041 Date 08-05-2008 | |
| 12 | Telladevarapadu | 635 Date 23-02-2005 | 05-09-2009 |
| | | 2212(E) Date 28-08-2009 | |
| 13 | Ganginenipalem | 635 Date 23-02-2005 | 05-09-2009 |
| | | 1041 Date 08-05-2008 | |
| | | 2212(E) Date 28-08-2009 | |

| 1 | 2 | 3 | 4 |
|--|-----------------|---------------------------|-------------------------------|
| 14 | Petrempadu | 635 Date 23-02-2005 | 13-10-2008 |
| 15 | Duggiralapadu | 635 Date 23-02-2005 | 12-01-2009 |
| Mandal/Tehsil/Taluk : Veerulapadu | | District : Krishna | State : Andhra Pradesh |
| 1 | Gudemmadhavaram | 635 Date 23-02-2005 | 05-09-2009 |
| | | 1041 Date 08-05-2008 | |
| | | 2212(E) Date 28-08-2009 | |
| 2 | Jayanthi | 635 Date 23-02-2005 | 30-08-2009 |
| | | 1041 Date 08-05-2008 | |
| | | 2149(E) Date 18-08-2009 | |
| 3 | Veerulapadu | 635 Date 23-02-2005 | 13-11-2008 |
| Mandal/Tehsil/Taluk : Nandigama | | District : Krishna | State : Andhra Pradesh |
| 1 | Damuluru | 635 Date 23-02-2005 | 07-04-2009 |
| | | 287 Date 02-02-2007 | |
| 2 | Torragudipadu | 287 Date 02-02-2007 | 31-01-2009 |
| 3 | Ramireddipalli | 635 Date 23-02-2005 | 27-10-2008 |
| | | 287 Date 02-02-2007 | |
| Mandal/Tehsil/Taluk : Penuganchiprolu | | District : Krishna | State : Andhra Pradesh |
| 1 | Gummadidurru | 933 Date 07-03-2005 | 21-11-2008 |
| | | 1603 (E) Date 25-09-2006 | |
| 2 | Anigandlapadu | 933 Date 07-03-2005 | 06-12-2008 |
| 3 | Penuganchiprolu | 933 Date 07-03-2005 | 09-12-2008 |
| | | 1603 (E) Date 25-09-2006 | |
| | | 1041 Date 08-05-2008 | |
| 4 | Lingagudem | 933 Date 07-03-2005 | 15-10-2008 |
| Mandal/Tehsil/Taluk : Vatsaval | | District : Krishna | State : Andhra Pradesh |
| 1 | Bhimavaram | 933 Date 07-03-2005 | 15-10-2008 |
| 2 | Makkapeta | 933 Date 07-03-2005 | 05-09-2009 |
| | | 2149(E) Date 18-08-2009 | |
| | | 2212(E) Date 28-08-2009 | |
| 3 | Gopinenipalem | 933 Date 07-03-2005 | 10-05-2008 |

| 1 | 2 | 3 | 4 |
|--------------------------------------|-------------------|-------------------------|------------------------|
| 4 | Mangollu | 933 Date 07-03-2005 | 05-09-2009 |
| | | 2212(E) Date 28-08-2009 | |
| 5 | Dechupalem | 933 Date 07-03-2005 | 10-05-2008 |
| 6 | Virabhadrunipalem | 933 Date 07-03-2005 | 10-05-2008 |
| Mandal/Tehsil/Taluk : Jaggayapeta | | District : Krishna | State : Andhra Pradesh |
| 1 | Tirumalagiri | 933 Date 07-03-2005 | 10-05-2008 |
| 2 | Ramachandrunipeta | 933 Date 07-03-2005 | 10-05-2008 |
| 3 | Takkellapadu | 933 Date 07-03-2005 | 10-05-2008 |
| Mandal/Tehsil/Taluk : Madhira | | District : Khammam | State : Andhra Pradesh |
| 1 | Chilukuru | 635 Date 23-02-2005 | 13-11-2008 |
| | | 287 Date 02-02-2007 | |
| Mandal/Tehsil/Taluk : Nelakondapalli | | District : Khammam | State : Andhra Pradesh |
| 1 | Kattukachavaram | 933 Date 07-03-2005 | 10-05-2008 |

To be published under Rule 4 of the P&MP (ARUL) Rules, 1963, framed under Section 17 of P&MP (ARUL) Act, 1962 in official Gazette of India.

[F. No. L-14014/39/2009-G.P.
K.K.SHARMA, Under Secy.

नई दिल्ली, 30 सितम्बर, 2009

का. आ. 2715.—पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) के नियम 2 (क) के अन्तर्गत, मैसर्स रिलायंस गैस ट्रांसपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड (आर.जी.टी.आई.एल.) के द्वारा आन्ध्र प्रदेश राज्य में प्राकृतिक गैस पाइपलाइन बिछाई जाने हेतु सक्षम प्राधिकारी के कार्यों का निर्वहन करने के लिए, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की, भारत के राजपत्र दिनांक 29 अक्टूबर, 2005 को प्रकाशित, अधिसूचना का.आ. 3962 दिनांक 25 अक्टूबर, 2005 द्वारा पदस्थापित, में, पी.बुच्चा रेड्डी, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियमावली, 1963 के नियम 4 के उप-नियम (1) के नीचे दी गई व्याख्या (1) के अन्तर्गत अधिकारों के अनुपालन में, मैसर्स आर.जी.टी.आई.एल., जिसमें यथास्थित, उस क्षेत्र में भूमि में उपयोग का अधिकार निहित किया गया है और उस क्षेत्र में पाइपलाइन का स्वामित्व निहित है, के परामर्श से, संलग्न अनुसूची के स्तम्भ 4 में आन्ध्र प्रदेश राज्य के नलगोंडा, रंगारेड्डी और मेदक जिले में यथा उल्लेखित प्राकृतिक गैस पाइपलाइन बिछाए जाने के प्रचालन की समाप्ति की तारीखों की घोषित करता हूँ।

अनुसूची

| मंडलः कोदाड | | जिलाः नलगोंडा | | राज्यः आन्ध्र प्रदेश | |
|-------------|--------------|---------------------------------------|--|-----------------------------|--|
| क. स. | ग्राम का नाम | धारा 6(1) की का. आ. संख्या एवं दिनांक | | प्रचालन की समाप्ति की तारीख | |
| 1 | 2 | 3 | | 4 | |

| | | | | | |
|---|-----------------|----------|--------|------------|------------|
| 1 | चिमिर्याल | 933 | दिनांक | 07-03-2005 | 05-09-2009 |
| | | 2842 (अ) | दिनांक | 02-12-2008 | |
| | | 2212 (अ) | दिनांक | 28-08-2009 | |
| 2 | गडियाल | 933 | दिनांक | 07-03-2005 | 30-06-2008 |
| 3 | तम्बरबंडापालेम् | 933 | दिनांक | 07-03-2005 | 10-12-2008 |
| | | 2842 (अ) | दिनांक | 02-12-2008 | |
| 4 | अनंतगिरि | 933 | दिनांक | 07-03-2005 | 17-12-2008 |
| | | 1603 (अ) | दिनांक | 25-09-2006 | |
| | | 2842 (अ) | दिनांक | 02-12-2008 | |
| 5 | खानापुर | 933 | दिनांक | 07-03-2005 | 05-09-2009 |
| | | 2842 (अ) | दिनांक | 02-12-2008 | |
| | | 2212 (अ) | दिनांक | 28-08-2009 | |
| 6 | कोम्भराबन्डा | 933 | दिनांक | 07-03-2005 | 05-09-2009 |
| | | 2212 (अ) | दिनांक | 28-08-2009 | |

| मंडलः नडिगूडेम् | | जिलाः नलगोंडा | | राज्यः आन्ध्र प्रदेश | |
|-----------------|----------------|---------------|--------|----------------------|------------|
| 1 | सिंगवरम् | 933 | दिनांक | 07-03-2005 | 03-07-2008 |
| 2 | तेल्लबल्लि | 933 | दिनांक | 07-03-2005 | 17-05-2008 |
| 3 | याक्लासकानपेटा | 933 | दिनांक | 07-03-2005 | 05-09-2009 |
| | | 2212 (अ) | दिनांक | 28-08-2009 | |
| 4 | रामापुरम् | 933 | दिनांक | 07-03-2005 | 13-12-2008 |
| | | 2842 (अ) | दिनांक | 02-12-2008 | |
| 5 | नडिगूडेम् | 933 | दिनांक | 07-03-2005 | 13-12-2008 |
| | | 2842 (अ) | दिनांक | 02-12-2008 | |

| मंडलः मुनगाला | | जिलाः नलगोंडा | | राज्यः आन्ध्र प्रदेश | |
|---------------|---------|---------------|--------|----------------------|------------|
| 1 | मुनगाला | 3031 | दिनांक | 16-11-2004 | 05-09-2009 |
| | | 2212 (अ) | दिनांक | 28-08-2009 | |

| 1 | 2 | 3 | 4 |
|-----------------|-----------------|--|---------------------|
| 2 | कलकोवा | 3031 दिनांक 16-11-2004 2212 (अ) दिनांक 28-08-2009 | 05-09-2009 |
| 3 | रेपाला | 3031 दिनांक 16-11-2004 2842 (अ) दिनांक 02-12-2008 | 13-12-2008 |
| मंडला मोते | | जिला नलगोंडा | राज्य आन्ध्र प्रदेश |
| 1 | नामावरम् | 3031 दिनांक 16-11-2004 2798 दिनांक 20-07-2006 2842 (अ) दिनांक 02-12-2008 | 13-12-2008 |
| मंडला चिव्वेमला | | जिला नलगोंडा | राज्य आन्ध्र प्रदेश |
| 1 | तिम्मपुरम् | 3031 दिनांक 16-11-2004 2842 (अ) दिनांक 02-12-2008 | 19-12-2008 |
| 2 | चिव्वेमला | 3031 दिनांक 16-11-2004 2842 (अ) दिनांक 02-12-2008 2212 (अ) दिनांक 28-08-2009 | 05-09-2009 |
| 3 | वट्टिखम्ममपाहाड | 3031 दिनांक 16-11-2004 2842 (अ) दिनांक 02-12-2008 2212 (अ) दिनांक 28-08-2009 | 05-09-2009 |
| 4 | बिबीगुडेम् | 3031 दिनांक 16-11-2004 | 19-03-2008 |
| 5 | कुडकुडा | 3031 दिनांक 16-11-2004 2842 (अ) दिनांक 02-12-2008 2212 (अ) दिनांक 28-08-2009 | 05-09-2009 |
| मंडला सूर्यपिट | | जिला नलगोंडा | राज्य आन्ध्र प्रदेश |
| 1 | पिल्ललमरि | 3031 दिनांक 16-11-2004 | 19-03-2008 |
| 2 | रामन्नागुडेम् | 3031 दिनांक 16-11-2004 2842 (अ) दिनांक 02-12-2008 | 19-12-2008 |
| 3 | पिन्नय्यापालेम् | 3031 दिनांक 16-11-2004 2842 (अ) दिनांक 02-12-2008 | 19-12-2008 |
| 4 | वेंकटरामपुरम् | 3031 दिनांक 16-11-2004 2798 दिनांक 20-07-2006 | 26-04-2008 |
| 5 | यंडलापल्लि | 3031 दिनांक 16-11-2004 | 26-04-2008 |

| 1 | 2 | 3 | 4 |
|-------------------|----------------------------|----------------------|---|
| मंडलः केतेपल्लि | जिलाः नलगोंडा | राज्यः आन्ध्र प्रदेश | |
| 1 कासनगूडा | 3031 दिनांक 16-11-2004 | 26-12-2008 | |
| | 2842 (अ) दिनांक 02-12-2008 | | |
| 2 गुडिवाडा | 3031 दिनांक 16-11-2004 | 05-09-2009 | |
| | 2842 (अ) दिनांक 02-12-2008 | | |
| | 2212 (अ) दिनांक 28-08-2009 | | |
| मंडलः नकिरेकल | जिलाः नलगोंडा | राज्यः आन्ध्र प्रदेश | |
| 1 पालेम | 1115 दिनांक 21-03-2005 | 26-12-2008 | |
| | 2842 (अ) दिनांक 02-12-2008 | | |
| मंडलः शालिगौराम् | जिलाः नलगोंडा | राज्यः आन्ध्र प्रदेश | |
| 1 पेरका कोंडारम् | 1115 दिनांक 21-03-2005 | 05-09-2009 | |
| | 2842 (अ) दिनांक 02-12-2008 | | |
| | 2212 (अ) दिनांक 28-08-2009 | | |
| 2 अडलूर | 1115 दिनांक 21-03-2005 | 26-12-2008 | |
| | 2842 (अ) दिनांक 02-12-2008 | | |
| 3 आकवरम् | 1115 दिनांक 21-03-2005 | 21-04-2008 | |
| 4 वदिदपामुला | 1115 दिनांक 21-03-2005 | 21-04-2008 | |
| 5 तक्केल्लापहाड् | 1115 दिनांक 21-03-2005 | 21-04-2008 | |
| 6 भैरुनीबंडा | 1115 दिनांक 21-03-2005 | 05-09-2009 | |
| | 2842 (अ) दिनांक 02-12-2008 | | |
| | 2212 (अ) दिनांक 28-08-2009 | | |
| मंडलः नारकेटपल्लि | जिलाः नलगोंडा | राज्यः आन्ध्र प्रदेश | |
| 1 अम्मनाबोलू | 1115 दिनांक 21-03-2005 | 05-09-2009 | |
| | 2212 (अ) दिनांक 28-08-2009 | | |
| मंडलः रामन्नापेटा | जिलाः नलगोंडा | राज्यः आन्ध्र प्रदेश | |
| 1 कुंकुडुपामुला | 1115 दिनांक 21-03-2005 | 26-04-2008 | |
| 2 येन्नावरम् | 1115 दिनांक 21-03-2005 | 26-12-2008 | |
| | 2842 (अ) दिनांक 02-12-2008 | | |
| 3 सूरारम् | 1115 दिनांक 21-03-2005 | 28-04-2008 | |
| 4 बच्चुप्पल | 1115 दिनांक 21-03-2005 | 28-04-2008 | |

| 1 | 2 | 3 | 4 |
|-----------------|---------------------------|----------------------------|----------------------|
| 5 | पल्लेवाडा | 1115 दिनांक 21-03-2005 | 28-04-2008 |
| मंडलः आलाकूर | | जिलाः नलगोंडा | राज्यः आन्ध्र प्रदेश |
| 1 | दूपल्लि | 1115 दिनांक 21-03-2005 | 04-05-2008 |
| मंडलः बोलिगोंडा | | जिलाः नलगोंडा | राज्यः आन्ध्र प्रदेश |
| 1 | वेमुलाकोंडा | 1115 दिनांक 21-03-2005 | 10-12-2008 |
| | | 2842 (अ) दिनांक 02-12-2008 | |
| 2 | चित्तापूर | 1115 दिनांक 21-03-2005 | 24-05-2008 |
| 3 | वेंकटापुरम् | 1115 दिनांक 21-03-2005 | 10-05-2008 |
| 4 | गंगापूर | 1115 दिनांक 21-03-2005 | 14-05-2008 |
| 5 | आरूर | 1115 दिनांक 21-03-2005 | 14-05-2008 |
| 8 | येलुवरती | 1115 दिनांक 21-03-2005 | 18-12-2008 |
| | | 2842 (अ) दिनांक 02-12-2008 | |
| 7 | सुकिशाला | 1115 दिनांक 21-03-2005 | 18-05-2008 |
| 8 | पुल्लुल अलियास पुलिगिल्ला | 1115 दिनांक 21-03-2005 | 24-05-2008 |
| 9 | कंधनापल्लि | 1115 दिनांक 21-03-2005 | 24-05-2008 |
| 10 | पहिल्वानपूर | 1115 दिनांक 21-03-2005 | 24-12-2008 |
| | | 2842 (अ) दिनांक 02-12-2008 | |
| मंडलः भुवनगिरि | | जिलाः नलगोंडा | राज्यः आन्ध्र प्रदेश |
| 1 | येरंबल्लि | 934 दिनांक 07-03-2005 | 24-12-2008 |
| | | 2842 (अ) दिनांक 02-12-2008 | |
| 2 | नवाजपल्लि | 934 दिनांक 07-03-2005 | 24-05-2008 |
| 3 | तुक्कापूर | 934 दिनांक 07-03-2005 | 24-05-2008 |
| | | 1764 (अ) दिनांक 13-10-2006 | |
| 4 | भुवनगिरि | 934 दिनांक 07-03-2005 | 25-05-2008 |
| | | 1784 (अ) दिनांक 13-10-2006 | |
| 5 | बोम्माईपल्लि | 1764 (अ) दिनांक 13-10-2006 | 25-05-2008 |
| 6 | अनंतवरम | 934 दिनांक 07-03-2005 | 05-09-2009 |
| | | 2842 (अ) दिनांक 02-12-2008 | |
| | | 2212 (अ) दिनांक 28-08-2009 | |
| 7 | ताजपुर | 934 दिनांक 07-03-2005 | 25-05-2008 |

| 1 | 2 | 3 | 4 |
|---------------------|-----------------------------------|----------------------------|----------------------|
| मंडलः बोम्मलरामारम् | | जिलाः नलगोंडा | राज्यः आन्ध्र प्रदेश |
| 1 | मेडिपल्लि | 934 दिनांक 07-03-2005 | 22-05-2008 |
| 2 | मैलारम | 934 दिनांक 07-03-2005 | 28-12-2008 |
| | | 2842 (अ) दिनांक 02-12-2008 | |
| 3 | हाजीपूर | 934 दिनांक 07-03-2005 | 23-05-2008 |
| 4 | मासिरेडिडपल्लि | 934 दिनांक 07-03-2005 | 23-05-2008 |
| 5 | मत्त्याला | 934 दिनांक 07-03-2005 | 05-09-2009 |
| | | 2212 (अ) दिनांक 28-08-2009 | |
| 6 | बोम्मलरामारम् | 934 दिनांक 07-03-2005 | 05-09-2009 |
| | | 2212 (अ) दिनांक 28-08-2009 | |
| 7 | तूमकुन्दा | 934 दिनांक 07-03-2005 | 28-12-2008 |
| | | 2842 (अ) दिनांक 02-12-2008 | |
| मंडलः शामीरपेट | | जिलाः रंगारेड्डी | राज्यः आन्ध्र प्रदेश |
| 1 | उदामरि | 934 दिनांक 07-03-2005 | 05-09-2009 |
| | | 2149 (अ) दिनांक 18-08-2009 | |
| | | 2212 (अ) दिनांक 28-08-2009 | |
| 2 | याकूतपूर | 934 दिनांक 07-03-2005 | 05-09-2009 |
| | | 2212 (अ) दिनांक 28-08-2009 | |
| 3 | रुद्रासिपल्लि अलियास आद्रासिपल्लि | 934 दिनांक 07-03-2005 | 05-09-2009 |
| | | 2149 (अ) दिनांक 18-08-2009 | |
| | | 2212 (अ) दिनांक 28-08-2009 | |
| 4 | पोन्नाल | 934 दिनांक 07-03-2005 | 05-09-2009 |
| | | 2149 (अ) दिनांक 18-08-2009 | |
| | | 2212 (अ) दिनांक 28-08-2009 | |
| 5 | बोम्रासपेट | 934 दिनांक 07-03-2005 | 05-09-2009 |
| | | 2149 (अ) दिनांक 18-08-2009 | |
| | | 2212 (अ) दिनांक 28-08-2009 | |
| 6 | शामीरपेट | 934 दिनांक 07-03-2005 | 05-09-2009 |
| | | 1764 (अ) दिनांक 13-10-2006 | |
| | | 2149 (अ) दिनांक 18-08-2009 | |
| | | 2212 (अ) दिनांक 28-08-2009 | |

| 1 | 2 | 3 | 4 |
|-------------------|----------------------------|----------------------|---|
| मंडलः मेडचल | जिलाः रंगारेड्डी | राज्यः आन्ध्र प्रदेश | |
| 1 पूडूर | 934 दिनांक 07-03-2005 | 05-09-2009 | |
| | 2149 (अ) दिनांक 18-08-2009 | | |
| | 2212 (अ) दिनांक 28-08-2009 | | |
| 2 गोसाईगूडा | 934 दिनांक 07-03-2005 | 05-09-2009 | |
| | 2149 (अ) दिनांक 18-08-2009 | | |
| | 2212 (अ) दिनांक 28-08-2009 | | |
| 3 मेडचल | 934 दिनांक 07-03-2005 | 05-09-2009 | |
| | 1764 (अ) दिनांक 13-10-2006 | | |
| | 2149 (अ) दिनांक 18-08-2009 | | |
| | 2212 (अ) दिनांक 28-08-2009 | | |
| 4 गौडावेल्लि | 934 दिनांक 07-03-2005 | 05-09-2009 | |
| | 2149 (अ) दिनांक 18-08-2009 | | |
| | 2212 (अ) दिनांक 28-08-2009 | | |
| 5 गिरमापुर | 934 दिनांक 07-03-2005 | 17-07-2008 | |
| 6 रायालापूर | 934 दिनांक 07-03-2005 | 19-07-2008 | |
| मंडलः खुलुल्लापूर | जिलाः रंगारेड्डी | राज्यः आन्ध्र प्रदेश | |
| 1 दुंडिगल | 628 दिनांक 17-02-2003 | 05-09-2009 | |
| | 934 दिनांक 07-03-2005 | | |
| | 1764 (अ) दिनांक 13-10-2006 | | |
| | 531 (अ) दिनांक 30-03-2007 | | |
| | 2149 (अ) दिनांक 18-08-2009 | | |
| | 2212 (अ) दिनांक 28-08-2009 | | |
| 2 गागिलापूर | 2067 दिनांक 19-06-2002 | 05-09-2009 | |
| | 628 दिनांक 17-02-2003 | | |
| | 1764 (अ) दिनांक 13-10-2006 | | |
| | 2212 (अ) दिनांक 28-08-2009 | | |
| मंडलः मरपल्लि | जिलाः रंगारेड्डी | राज्यः आन्ध्र प्रदेश | |
| 1 बिलकल | 2067 दिनांक 19-06-2002 | 30-08-2009 | |
| | 2149 (अ) दिनांक 18-08-2009 | | |

| 1 | 2 | 3 | 4 |
|---|----------------|---|------------|
| 2 | कामसेट्टिपल्लि | 2067 दिनांक 19-06-2002 628 दिनांक 17-02-2003 2149 (अ) दिनांक 18-08-2009 2212 (अ) दिनांक 28-08-2009 | 05-09-2009 |
| 3 | मोगिलिगुण्डला | 2067 दिनांक 19-06-2002 628 दिनांक 17-02-2003 2149 (अ) दिनांक 18-08-2009 2212 (अ) दिनांक 28-08-2009 | 05-09-2009 |
| 4 | धनापूर | 2067 दिनांक 19-06-2002 628 दिनांक 17-02-2003 4474 दिनांक 20-11-2006 2149 (अ) दिनांक 18-08-2009 2212 (अ) दिनांक 28-08-2009 | 05-09-2009 |

| मंडलः जिन्नारम | जिलाः मेदक | राज्यः आन्ध्र प्रदेश |
|----------------|--|----------------------|
| 1 अलीनगर | 2125 दिनांक 25-06-2002 288 दिनांक 02-02-2007 | 16-07-2008 |
| 2 गाडिपोतारम | 2125 दिनांक 25-06-2002 218 दिनांक 16-01-2003 288 दिनांक 02-02-2007 2905 (अ) दिनांक 15-12-2008 | 19-12-2008 |
| 3 किष्टायपल्लि | 2125 दिनांक 25-06-2002 288 दिनांक 02-02-2007 2905 (अ) दिनांक 15-12-2008 | 25-12-2008 |
| 4 कोरलाकुन्टा | 2125 दिनांक 25-06-2002 4581 दिनांक 29-11-2006 2905 (अ) दिनांक 15-12-2008 | 25-12-2008 |
| 5 नल्लूरु | 2125 दिनांक 25-06-2002 4581 दिनांक 29-11-2006 2905 (अ) दिनांक 15-12-2008 | 25-12-2008 |

| 1 | 2 | 3 | 4 |
|------------------|-------------|---|----------------------|
| 6 | माधवारमु | 2125 दिनांक 25-06-2002 218 दिनांक 16-01-2003 4581 दिनांक 29-11-2006 2905 (अ) दिनांक 15-12-2008 | 25-12-2008 |
| 7 | कोडाकंची | 2125 दिनांक 25-06-2002 218 दिनांक 16-01-2003 2905 (अ) दिनांक 15-12-2008 2212 (अ) दिनांक 28-08-2009 | 05-09-2009 |
| मंडलः पठानचेरुवु | | जिलाः मेदक | राज्यः आन्ध्र प्रदेश |
| 1 | पेदुकंजर्ला | 218 दिनांक 16-01-2003 2905 (अ) दिनांक 15-12-2008 | 25-12-2008 |
| 2 | इंदिरेशम | 2125 दिनांक 25-06-2002 | 25-07-2008 |
| 3 | ऐनोल | 2125 दिनांक 25-06-2002 4581 दिनांक 29-11-2006 2905 (अ) दिनांक 15-12-2008 | 25-12-2008 |
| 4 | चितुकुला | 218 दिनांक 16-01-2003 2905 (अ) दिनांक 15-12-2008 | 25-12-2008 |
| 5 | लकडारम | 2125 दिनांक 25-06-2002 2905 (अ) दिनांक 15-12-2008 | 25-12-2008 |
| 6 | रुद्रवरम | 2125 दिनांक 25-06-2002 218 दिनांक 16-01-2003 2905 (अ) दिनांक 15-12-2008 2212 (अ) दिनांक 28-08-2009 | 05-09-2009 |
| मंडलः संगारेड्डी | | जिलाः मेदक | राज्यः आन्ध्र प्रदेश |
| 1 | चेर्याल | 2125 दिनांक 25-06-2002 218 दिनांक 16-01-2003 2905 (अ) दिनांक 15-12-2008 2212 (अ) दिनांक 28-08-2009 | 05-09-2009 |
| 2 | कन्दी | 2125 दिनांक 25-06-2002 | 10-07-2008 |

| 1 | 2 | 3 | 4 |
|---|-----------------|--|------------|
| 3 | कोतलापूर | 2125 दिनांक 25-06-2002 218 दिनांक 16-01-2003 288 दिनांक 02-02-2007 2905 (अ) दिनांक 15-12-2008 2212 (अ) दिनांक 28-08-2009 | 05-09-2009 |
| 4 | पोतिरेड्डीपल्ली | 2125 दिनांक 25-06-2002 2905 (अ) दिनांक 15-12-2008 | 25-12-2008 |

| मंडलः कोण्डापूर | जिलाः भेदक | राज्यः आन्ध्र प्रदेश |
|-----------------|--|----------------------|
| 1 मल्कापूर | 2125 दिनांक 25-06-2002 218 दिनांक 16-01-2003 288 दिनांक 02-02-2007 2905 (अ) दिनांक 15-12-2008 | 25-12-2008 |
| 2 तोगरपल्ली | 2125 दिनांक 25-06-2002 218 दिनांक 16-01-2003 4581 दिनांक 29-11-2006 2905 (अ) दिनांक 15-12-2008 | 25-12-2008 |
| 3 गिर्मापूर | 2125 दिनांक 25-06-2002 2905 (अ) दिनांक 15-12-2008 | 25-12-2008 |
| 4 गारकुर्ति | 2125 दिनांक 25-06-2002 2905 (अ) दिनांक 15-12-2008 4581 दिनांक 29-11-2006 2212 (अ) दिनांक 28-08-2009 | 05-09-2009 |

| मंडलः सदाशिवपेट | जिलाः भेदक | राज्यः आन्ध्र प्रदेश |
|-----------------|---|----------------------|
| 1 पेड्दापूर | 2126 दिनांक 25-06-2002 2905 (अ) दिनांक 15-12-2008 949 (अ) दिनांक 08-04-2009 | 20-04-2009 |
| 2 नन्दिकन्दि | 2126 दिनांक 25-06-2002 | 10-07-2008 |
| 3 सिद्दापूर | 2126 दिनांक 25-06-2002 4339 दिनांक 10-11-2006 2905 (अ) दिनांक 15-12-2008 | 25-12-2008 |

| 1 | 2 | 3 | 4 |
|-----------------|-------------|---|----------------------|
| 4 | सदाशिवपेट | 2126 दिनांक 25-06-2002 2905 (अ) दिनांक 15-12-2008 | 25-12-2008 |
| 5 | मद्धिकुन्टा | 2126 दिनांक 25-06-2002 2905 (अ) दिनांक 15-12-2008 949 (अ) दिनांक 08-04-2009 | 20-04-2009 |
| 6 | तंगेडपल्ली | 2126 दिनांक 25-06-2002 2905 (अ) दिनांक 15-12-2008 949 (अ) दिनांक 08-04-2009 | 20-04-2009 |
| 7 | मिलिगिरिपेट | 2126 दिनांक 25-06-2002 4339 दिनांक 10-11-2006 949 (अ) दिनांक 08-04-2009 | 20-04-2009 |
| मंडलः मुनिपल्लि | | जिलाः मेदक | राज्यः आन्ध्र प्रदेश |
| 1 | इब्राहीमपूर | 2126 दिनांक 25-06-2002 4339 दिनांक 10-11-2006 2905 (अ) दिनांक 15-12-2008 949 (अ) दिनांक 08-04-2009 | 20-04-2009 |
| 2 | कामकोल | 2126 दिनांक 25-06-2002 4339 दिनांक 10-11-2006 | 10-07-2008 |
| मंडलः कोहीर | | जिलाः मेदक | राज्यः आन्ध्र प्रदेश |
| 1 | वेंकाटपूर | 2126 दिनांक 25-06-2002 2905 (अ) दिनांक 15-12-2008 | 20-12-2008 |
| 2 | कावेली | 2126 दिनांक 25-06-2002 2905 (अ) दिनांक 15-12-2008 949 (अ) दिनांक 08-04-2009 2212 (अ) दिनांक 28-08-2009 | 05-09-2009 |
| 3 | गुरुजवाडा | 2126 दिनांक 25-06-2002 4339 दिनांक 10-11-2006 2905 (अ) दिनांक 15-12-2008 | 25-12-2008 |
| 4 | माद्री | 2126 दिनांक 25-06-2002 2905 (अ) दिनांक 15-12-2008 949 (अ) दिनांक 08-04-2009 2212 (अ) दिनांक 28-08-2009 | 05-09-2009 |

| 1 | 2 | 3 | 4 |
|------------------|----------------------------|----------------------|---|
| मंडल: जहीराबाद | जिला: मेदक | राज्य: आन्ध्र प्रदेश | |
| 1 हुगेल्ली | 2126 दिनांक 25-06-2002 | 25-12-2008 | |
| | 4339 दिनांक 10-11-2006 | | |
| | 2905 (अ) दिनांक 15-12-2008 | | |
| 2 रन्जोल | 2126 दिनांक 25-06-2002 | 20-04-2009 | |
| | 2905 (अ) दिनांक 15-12-2008 | | |
| | 949 (अ) दिनांक 08-04-2009 | | |
| 3 होथी (खुर्द) | 934 दिनांक 07-03-2005 | 20-04-2009 | |
| | 2126 दिनांक 25-06-2002 | | |
| | 4339 दिनांक 10-11-2006 | | |
| | 949 (अ) दिनांक 08-04-2009 | | |
| 4 होथी (बुजुर्ग) | 934 दिनांक 07-03-2005 | 05-09-2009 | |
| | 2126 दिनांक 25-06-2002 | | |
| | 1341 दिनांक 30-04-2003 | | |
| | 2905 (अ) दिनांक 15-12-2008 | | |
| | 2212 (अ) दिनांक 28-08-2009 | | |
| 5 कासीमपूर | 934 दिनांक 07-03-2005 | 05-09-2009 | |
| | 2905 (अ) दिनांक 15-12-2008 | | |
| | 2212 (अ) दिनांक 28-08-2009 | | |
| 6 सत्वार | 934 दिनांक 07-03-2005 | 20-12-2008 | |
| | 2905 (अ) दिनांक 15-12-2008 | | |
| 7 चिराग पल्लि | 934 दिनांक 07-03-2005 | 20-12-2008 | |

पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 की धारा 17 के अन्तर्गत संरक्षित पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत भारत सरकार के राजपत्र के प्रकाशनार्थ.

[फा. सं. एल-14014/40/2009-जी.पी.
के.के.शर्मा, अवर सचिव

New Delhi, the 30th September, 2009

S. O. 2715.— In pursuance of powers conferred by Explanation 1 in sub-rule (1) of Rule 4 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules, 1963, I, P. Butcha Reddy, appointed by Government of India, Ministry of Petroleum & Natural Gas vide Notification S.O. 3962 dated 25th October, 2005 (published in the Gazette of India on 25th October, 2005) under Section 2(a) of the Petroleum & Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962(50 of 1962) to perform the functions of Competent Authority for laying natural gas pipelines by M/s Reliance Gas Transportation Infrastructure Limited (RGTEL) in the State of Andhra Pradesh, in consultation with M/s RGTEL, to whom

the Right of User in the land in that area has been vested and in whom the ownership of the pipeline in that area vests, hereby declare the dates, mentioned in Column 4 of the Schedule annexed herewith, as the dates of termination of RoU operation in Districts Nalgonda, Rangareddy and Medak in the State of Andhra Pradesh.

Schedule

| Mandal: Kodad | | District : Nalgonda | | State : Andhra Pradesh | |
|-------------------|--------------------|--|------------------|----------------------------------|--|
| Sl. No. | Village | S.O. No. and Date of Notification under sub-section (1) of Section 6 | | Date of Termination of Operation | |
| 1 | 2 | 3 | | 4 | |
| 1 | Chimiriya | 933 | Dated 07-03-2005 | 05-09-2009 | |
| | | 2842 (E) | Dated 02-12-2008 | | |
| | | 2212 (E) | Dated 28-08-2009 | | |
| 2 | Gandriyal | 933 | Dated 07-03-2005 | 30-06-2008 | |
| 3 | Tammar Banda Palem | 933 | Dated 07-03-2005 | 10-12-2008 | |
| | | 2842 (E) | Dated 02-12-2008 | | |
| 4 | Ananthagiri | 933 | Dated 07-03-2005 | 17-12-2008 | |
| | | 1603 (E) | Dated 25-09-2006 | | |
| | | 2842 (E) | Dated 02-12-2008 | | |
| 5 | Khanapur | 933 | Dated 07-03-2005 | 05-09-2009 | |
| | | 2842 (E) | Dated 02-12-2008 | | |
| | | 2212 (E) | Dated 28-08-2009 | | |
| 6 | KommarBanda | 933 | Dated 07-03-2005 | 05-09-2009 | |
| | | 2212 (E) | Dated 28-08-2009 | | |
| Mandal: Nadigudem | | District : Nalgonda | | State : Andhra Pradesh | |
| 1 | Singavaram | 933 | Dated 07-03-2005 | 03-07-2008 | |
| 2 | Tellaballi | 933 | Dated 07-03-2005 | 17-05-2008 | |
| 3 | Yakhlaskanpeta | 933 | Dated 07-03-2005 | 05-09-2009 | |
| | | 2212 (E) | Dated 28-08-2009 | | |
| 4 | Ramapuram | 933 | Dated 07-03-2005 | 13-12-2008 | |
| | | 2842 (E) | Dated 02-12-2008 | | |
| 5 | Nadigudem | 933 | Dated 07-03-2005 | 13-12-2008 | |
| | | 2842 (E) | Dated 02-12-2008 | | |
| Mandal: Munagala | | District : Nalgonda | | State : Andhra Pradesh | |
| 1 | Munagala | 3031 | Dated 16-11-2004 | 05-09-2009 | |
| | | 2212 (E) | Dated 28-08-2009 | | |

| 1 | 2 | 3 | 4 |
|---|-------------------|---|------------|
| 2 | Kalakova | 3031 Dated 16-11-2004 2212 (E) Dated 28-08-2009 | 05-09-2009 |
| 3 | Repala | 3031 Dated 16-11-2004 2842 (E) Dated 02-12-2008 | 13-12-2008 |
| Mandal: Mothey District : Nalgonda State : Andhra Pradesh | | | |
| 1 | Namavaram | 3031 Dated 16-11-2004 2798 Dated 20-07-2006 2842 (E) Dated 02-12-2008 | 13-12-2008 |
| Mandal: Chivemla District : Nalgonda State : Andhra Pradesh | | | |
| 1 | Timmapuram | 3031 Dated 16-11-2004 2842 (E) Dated 02-12-2008 | 19-12-2008 |
| 2 | Chivemla | 3031 Dated 16-11-2004 2842 (E) Dated 02-12-2008 2212 (E) Dated 28-08-2009 | 05-09-2009 |
| 3 | Vattikhammampahad | 3031 Dated 16-11-2004 2842 (E) Dated 02-12-2008 2212 (E) Dated 28-08-2009 | 05-09-2009 |
| 4 | Bibigudem | 3031 Dated 16-11-2004 | 19-03-2008 |
| 5 | Kudkuda | 3031 Dated 16-11-2004 2842 (E) Dated 02-12-2008 2212 (E) Dated 28-08-2009 | 05-09-2009 |
| Mandal: Suryapeta District : Nalgonda State : Andhra Pradesh | | | |
| 1 | Pillalamarry | 3031 Dated 16-11-2004 | 19-03-2008 |
| 2 | Ramannagudem | 3031 Dated 16-11-2004 2842 (E) Dated 02-12-2008 | 19-12-2008 |
| 3 | Pinnaipalem | 3031 Dated 16-11-2004 2842 (E) Dated 02-12-2008 | 19-12-2008 |
| 4 | Venkatramapuram | 3031 Dated 16-11-2004 2798 Dated 20-07-2006 | 26-04-2008 |
| 5 | Yendlapalli | 3031 Dated 16-11-2004 | 26-04-2008 |

| 1 | 2 | 3 | 4 |
|------------------------------|---------------|----------------------------|-------------------------------|
| Mandal: Kethepalli | | District : Nalgonda | State : Andhra Pradesh |
| 1 | Kasangooda | 3031 | Dated 16-11-2004 |
| | | 2842 (E) | Dated 02-12-2008 |
| 2 | Gudivada | 3031 | Dated 16-11-2004 |
| | | 2842 (E) | Dated 02-12-2008 |
| | | 2212 (E) | Dated 28-08-2009 |
| Mandal: Nakrekal | | District : Nalgonda | State : Andhra Pradesh |
| 1 | Palem | 1115 | Dated 21-03-2005 |
| | | 2842 (E) | Dated 02-12-2008 |
| Mandal: Shallgowraram | | District : Nalgonda | State : Andhra Pradesh |
| 1 | Perkakondaram | 1115 | Dated 21-03-2005 |
| | | 2842 (E) | Dated 02-12-2008 |
| | | 2212 (E) | Dated 28-08-2009 |
| 2 | Adloor | 1115 | Dated 21-03-2005 |
| | | 2842 (E) | Dated 02-12-2008 |
| 3 | Akkavaram | 1115 | Dated 21-03-2005 |
| 4 | Vaddipamula | 1115 | Dated 21-03-2005 |
| 5 | Takkelapahad | 1115 | Dated 21-03-2005 |
| 6 | Baironibanda | 1115 | Dated 21-03-2005 |
| | | 2842 (E) | Dated 02-12-2008 |
| | | 2212 (E) | Dated 28-08-2009 |
| Mandal: Narketpally | | District : Nalgonda | State : Andhra Pradesh |
| 1 | Ammanbolu | 1115 | Dated 21-03-2005 |
| | | 2212 (E) | Dated 28-08-2009 |
| Mandal: Ramannapet | | District : Nalgonda | State : Andhra Pradesh |
| 1 | Kunkudupamula | 1115 | Dated 21-03-2005 |
| 2 | Yennavaram | 1115 | Dated 21-03-2005 |
| | | 2842 (E) | Dated 02-12-2008 |
| 3 | Suraram | 1115 | Dated 21-03-2005 |
| 4 | Bachuppala | 1115 | Dated 21-03-2005 |

| 1 | 2 | 3 | 4 |
|---|-----------|-----------------------|------------|
| 5 | Palleveda | 1115 Dated 21-03-2005 | 28-04-2008 |

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|------------------------|----------------------------|-------------------------------|
| Mandal: Atmakur | District : Nalgonda | State : Andhra Pradesh |
|------------------------|----------------------------|-------------------------------|

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|---|---------|-----------------------|------------|
| 1 | Dupalli | 1115 Dated 21-03-2005 | 04-05-2008 |
|---|---------|-----------------------|------------|

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|--------------------------|----------------------------|-------------------------------|
| Mandal: Voligonda | District : Nalgonda | State : Andhra Pradesh |
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|---|-------------|-----------------------|------------|
| 1 | Vemulakonda | 1115 Dated 21-03-2005 | 10-12-2008 |
|---|-------------|-----------------------|------------|

2842 (E) Dated 02-12-2008

| | | | |
|---|-----------|-----------------------|------------|
| 2 | Chithapur | 1115 Dated 21-03-2005 | 24-05-2008 |
|---|-----------|-----------------------|------------|

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|---|--------------|-----------------------|------------|
| 3 | Venkatapuram | 1115 Dated 21-03-2005 | 10-05-2008 |
|---|--------------|-----------------------|------------|

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|---|----------|-----------------------|------------|
| 4 | Gangapur | 1115 Dated 21-03-2005 | 14-05-2008 |
|---|----------|-----------------------|------------|

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|---|-------|-----------------------|------------|
| 5 | Aroor | 1115 Dated 21-03-2005 | 14-05-2008 |
|---|-------|-----------------------|------------|

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|---|------------|-----------------------|------------|
| 6 | Veluvarthy | 1115 Dated 21-03-2005 | 18-12-2008 |
|---|------------|-----------------------|------------|

2842 (E) Dated 02-12-2008

| | | | |
|---|------------|-----------------------|------------|
| 7 | Sunkishala | 1115 Dated 21-03-2005 | 18-05-2008 |
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|---|------------------------|-----------------------|------------|
| 8 | Pulgul alias Pullgilla | 1115 Dated 21-03-2005 | 24-05-2008 |
|---|------------------------|-----------------------|------------|

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|---|---------------|-----------------------|------------|
| 9 | Kanchanapalli | 1115 Dated 21-03-2005 | 24-05-2008 |
|---|---------------|-----------------------|------------|

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|----|-------------|-----------------------|------------|
| 10 | Pahelwanpur | 1115 Dated 21-03-2005 | 24-12-2008 |
|----|-------------|-----------------------|------------|

2842 (E) Dated 02-12-2008

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|----------------------------|----------------------------|-------------------------------|
| Mandal: Bhuvanagiri | District : Nalgonda | State : Andhra Pradesh |
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|---|-------------|----------------------|------------|
| 1 | Yerrambelli | 934 Dated 07-03-2005 | 24-12-2008 |
|---|-------------|----------------------|------------|

2842 (E) Dated 02-12-2008

| | | | |
|---|------------|----------------------|------------|
| 2 | Navajpalli | 934 Dated 07-03-2005 | 24-05-2008 |
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|---|-----------|----------------------|------------|
| 3 | Thukkapur | 934 Dated 07-03-2005 | 24-05-2008 |
|---|-----------|----------------------|------------|

1764 (E) Dated 13-10-2006

| | | | |
|---|-------------|----------------------|------------|
| 4 | Bhuvanagiri | 934 Dated 07-03-2005 | 25-05-2008 |
|---|-------------|----------------------|------------|

1764 (E) Dated 13-10-2006

| | | | |
|---|-------------|---------------------------|------------|
| 5 | Bommaipalli | 1764 (E) Dated 13-10-2006 | 25-05-2008 |
|---|-------------|---------------------------|------------|

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|---|--------------|----------------------|------------|
| 6 | Ananthavaram | 934 Dated 07-03-2005 | 05-09-2009 |
|---|--------------|----------------------|------------|

2842 (E) Dated 02-12-2008

2212 (E) Dated 28-08-2009

| | | | |
|---|--------|----------------------|------------|
| 7 | Tajpur | 934 Dated 07-03-2005 | 25-05-2008 |
|---|--------|----------------------|------------|

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|-------------------------------|----------------------------|-------------------------------|
| Mandal: Bommalaramaram | District : Nalgonda | State : Andhra Pradesh |
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|---|-----------|----------------------|------------|
| 1 | Medipalli | 934 Dated 07-03-2005 | 22-05-2008 |
|---|-----------|----------------------|------------|

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| 2 | Mylaram | 934 Dated 07-03-2005 | 28-12-2008 |
|---|---------|----------------------|------------|

2842 (E) Dated 02-12-2008

| 1 | 2 | 3 | 4 |
|---|------------------|---------------------------|------------|
| 3 | Hajipur | 934 Dated 07-03-2005 | 23-05-2008 |
| 4 | Masireddypalli | 934 Dated 07-03-2005 | 23-05-2008 |
| 5 | Malyala | 934 Dated 07-03-2005 | 05-09-2009 |
| | | 2212 (E) Dated 28-08-2009 | |
| 6 | Bommalararamaram | 934 Dated 07-03-2005 | 05-09-2009 |
| | | 2212 (E) Dated 28-08-2009 | |
| 7 | Tboomkunta | 934 Dated 07-03-2005 | 28-12-2008 |
| | | 2842 (E) Dated 02-12-2008 | |

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|---------------------------|------------------------------|-------------------------------|
| Mandal: Shameerpet | District : Rangareddy | State : Andhra Pradesh |
|---------------------------|------------------------------|-------------------------------|

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|---|--------------------------------|---------------------------|------------|
| 1 | Uddamarri | 934 Dated 07-03-2005 | 05-09-2009 |
| | | 2149 (E) Dated 18-08-2009 | |
| | | 2212 (E) Dated 28-08-2009 | |
| 2 | Yakhutpur | 934 Dated 07-03-2005 | 05-09-2009 |
| | | 2212 (E) Dated 28-08-2009 | |
| 3 | Rudrasipalli alias Adrajipalli | 934 Dated 07-03-2005 | 05-09-2009 |
| | | 2149 (E) Dated 18-08-2009 | |
| | | 2212 (E) Dated 28-08-2009 | |
| 4 | Ponnal | 934 Dated 07-03-2005 | 05-09-2009 |
| | | 2149 (E) Dated 18-08-2009 | |
| | | 2212 (E) Dated 28-08-2009 | |
| 5 | Bomaraspet | 934 Dated 07-03-2005 | 05-09-2009 |
| | | 2149 (E) Dated 18-08-2009 | |
| | | 2212 (E) Dated 28-08-2009 | |
| 6 | Shameerpet | 934 Dated 07-03-2005 | 05-09-2009 |
| | | 1764 (E) Dated 13-10-2006 | |
| | | 2149 (E) Dated 18-08-2009 | |
| | | 2212 (E) Dated 28-08-2009 | |

| | | |
|------------------------|------------------------------|-------------------------------|
| Mandal: Medchal | District : Rangareddy | State : Andhra Pradesh |
|------------------------|------------------------------|-------------------------------|

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|---|-----------|---------------------------|------------|
| 1 | Pudur | 934 Dated 07-03-2005 | 05-09-2009 |
| | | 2149 (E) Dated 18-08-2009 | |
| | | 2212 (E) Dated 28-08-2009 | |
| 2 | Gosaiguda | 934 Dated 07-03-2005 | 05-09-2009 |
| | | 2149 (E) Dated 18-08-2009 | |
| | | 2212 (E) Dated 28-08-2009 | |

| 1 | 2 | 3 | 4 |
|----------------------------|---------------|---|-------------------------------|
| 3 | Medchal | 934 Dated 07-03-2005 1764 (E) Dated 13-10-2006 2149 (E) Dated 18-08-2009 2212 (E) Dated 28-08-2009 | 05-09-2009 |
| 4 | Goudavelly | 934 Dated 07-03-2005 2149 (E) Dated 18-08-2009 2212 (E) Dated 28-08-2009 | 05-09-2009 |
| 5 | Girmapur | 934 Dated 07-03-2005 | 17-07-2008 |
| 6 | Railapur | 934 Dated 07-03-2005 | 19-07-2008 |
| Mandal: Qutbullapur | | District : Rangareddy | State : Andhra Pradesh |
| 1 | Dundigal | 628 Dated 17-02-2003 934 Dated 07-03-2005 1764 (E) Dated 13-10-2006 531 (E) Dated 30-03-2007 2149 (E) Dated 18-08-2009 2212 (E) Dated 28-08-2009 | 05-09-2009 |
| 2 | Gagilapur | 2067 Dated 19-06-2002 628 Dated 17-02-2003 1764 (E) Dated 13-10-2006 2212 (E) Dated 28-08-2009 | 05-09-2009 |
| Mandal: Marpalli | | District : Rangareddy | State : Andhra Pradesh |
| 1 | Bilkal | 2067 Dated 19-06-2002 2149 (E) Dated 18-08-2009 | 30-08-2009 |
| 2 | Kamsettipalli | 2067 Dated 19-06-2002 628 Dated 17-02-2003 2149 (E) Dated 18-08-2009 2212 (E) Dated 28-08-2009 | 05-09-2009 |
| 3 | Mogiligundla | 2067 Dated 19-06-2002 628 Dated 17-02-2003 2149 (E) Dated 18-08-2009 2212 (E) Dated 28-08-2009 | 05-09-2009 |
| 4 | Ghanapur | 2067 Dated 19-06-2002 628 Dated 17-02-2003 4474 Dated 20-11-2006 | 05-09-2009 |

| 1 | 2 | 3 | 4 |
|---|---|---------------------------|---|
| | | 2149 (E) Dated 18-08-2009 | |
| | | 2212 (E) Dated 28-08-2009 | |

| Mandal: Jinnaram | | District : Medak | | State : Andhra Pradesh |
|------------------|--------------|------------------|------------------|------------------------|
| 1 | Allinagar | 2125 | Dated 25-06-2002 | 16-07-2008 |
| | | 288 | Dated 02-02-2007 | |
| 2 | Gadipotharam | 2125 | Dated 25-06-2002 | 19-12-2008 |
| | | 218 | Dated 16-01-2003 | |
| | | 288 | Dated 02-02-2007 | |
| | | 2905 (E) | Dated 15-12-2008 | |
| 3 | Kistaipalli | 2125 | Dated 25-06-2002 | 25-12-2008 |
| | | 288 | Dated 02-02-2007 | |
| | | 2905 (E) | Dated 15-12-2008 | |
| 4 | Korlakunta | 2125 | Dated 25-06-2002 | 25-12-2008 |
| | | 4581 | Dated 29-11-2006 | |
| | | 2905 (E) | Dated 15-12-2008 | |
| 5 | Nalloor | 2125 | Dated 25-06-2002 | 25-12-2008 |
| | | 4581 | Dated 29-11-2006 | |
| | | 2905 (E) | Dated 15-12-2008 | |
| 6 | Madhavaram | 2125 | Dated 25-06-2002 | 25-12-2008 |
| | | 218 | Dated 16-01-2003 | |
| | | 4581 | Dated 29-11-2006 | |
| | | 2905 (E) | Dated 15-12-2008 | |
| 7 | Kodakanchi | 2125 | Dated 25-06-2002 | 05-09-2009 |
| | | 218 | Dated 16-01-2003 | |
| | | 2905 (E) | Dated 15-12-2008 | |
| | | 2212 (E) | Dated 28-08-2009 | |

| Mandal: Patancheruvu | | District : Medak | | State : Andhra Pradesh |
|----------------------|---------------|------------------|------------------|------------------------|
| 1 | Peddakanjarla | 218 | Dated 16-01-2003 | 25-12-2008 |
| | | 2905 (E) | Dated 15-12-2008 | |
| 2 | Indresham | 2125 | Dated 25-06-2002 | 25-07-2008 |
| 3 | Inole | 2125 | Dated 25-06-2002 | 25-12-2008 |
| | | 4581 | Dated 29-11-2006 | |
| | | 2905 (E) | Dated 15-12-2008 | |
| 4 | Chitukula | 218 | Dated 16-01-2003 | 25-12-2008 |
| | | 2905 (E) | Dated 15-12-2008 | |

| 1 | 2 | 3 | 4 |
|---------------------------|-----------------|---|-------------------------------|
| 5 | Lakadaram | 2125 Dated 25-06-2002 2905 (E) Dated 15-12-2008 | 25-12-2008 |
| 6 | Rudravaram | 2125 Dated 25-06-2002 218 Dated 16-01-2003 2905 (E) Dated 15-12-2008 2212 (E) Dated 28-08-2009 | 05-09-2009 |
| Mandal: Sangareddy | | District : Medak | State : Andhra Pradesh |
| 1 | Cheriyal | 2125 Dated 25-06-2002 218 Dated 16-01-2003 2905 (E) Dated 15-12-2008 2212 (E) Dated 28-08-2009 | 05-09-2009 |
| 2 | Kandi | 2125 Dated 25-06-2002 | 10-07-2008 |
| 3 | Kothlapur | 2125 Dated 25-06-2002 218 Dated 16-01-2003 288 Dated 02-02-2007 2905 (E) Dated 15-12-2008 2212 (E) Dated 28-08-2009 | 05-09-2009 |
| 4 | Pothireddypalli | 2125 Dated 25-06-2002 2905 (E) Dated 15-12-2008 | 25-12-2008 |
| Mandal: Kondapur | | District : Medak | State : Andhra Pradesh |
| 1 | Malkapur | 2125 Dated 25-06-2002 218 Dated 16-01-2003 288 Dated 02-02-2007 2905 (E) Dated 15-12-2008 | 25-12-2008 |
| 2 | Thogarpalli | 2125 Dated 25-06-2002 218 Dated 16-01-2003 4581 Dated 29-11-2006 2905 (E) Dated 15-12-2008 | 25-12-2008 |
| 3 | Girmapur | 2125 Dated 25-06-2002 2905 (E) Dated 15-12-2008 | 25-12-2008 |
| 4 | Garakurthi | 2125 Dated 25-06-2002 2905 (E) Dated 15-12-2008 4581 Dated 29-11-2006 2212 (E) Dated 28-08-2009 | 05-09-2009 |

| 1 | 2 | 3 | 4 |
|----------------------------|-------------|---------------------------|-------------------------------|
| Mandal: Sadashivpet | | District : Medak | State : Andhra Pradesh |
| 1 | Peddapur | 2126 Dated 25-06-2002 | 20-04-2009 |
| | | 2905 (E) Dated 15-12-2008 | |
| | | 949 (E) Dated 08-04-2009 | |
| 2 | Nandikandi | 2126 Dated 25-06-2002 | 10-07-2008 |
| 3 | Siddapur | 2126 Dated 25-06-2002 | 25-12-2008 |
| | | 4339 Dated 10-11-2006 | |
| | | 2905 (E) Dated 15-12-2008 | |
| 4 | Sadashivpet | 2126 Dated 25-06-2002 | 25-12-2008 |
| | | 2905 (E) Dated 15-12-2008 | |
| 5 | Maddikunta | 2126 Dated 25-06-2002 | 20-04-2009 |
| | | 2905 (E) Dated 15-12-2008 | |
| | | 949 (E) Dated 08-04-2009 | |
| 6 | Tangedpalli | 2126 Dated 25-06-2002 | 20-04-2009 |
| | | 2905 (E) Dated 15-12-2008 | |
| | | 949 (E) Dated 08-04-2009 | |
| 7 | Milgripet | 2126 Dated 25-06-2002 | 20-04-2009 |
| | | 4339 Dated 10-11-2006 | |
| | | 949 (E) Dated 08-04-2009 | |
| Mandal: Munipalli | | District : Medak | State : Andhra Pradesh |
| 1 | Ibrahimpur | 2126 Dated 25-06-2002 | 20-04-2009 |
| | | 4339 Dated 10-11-2006 | |
| | | 2905 (E) Dated 15-12-2008 | |
| | | 949 (E) Dated 08-04-2009 | |
| 2 | Kamkol | 2126 Dated 25-06-2002 | 10-07-2008 |
| | | 4339 Dated 10-11-2006 | |
| Mandal: Koheer | | District : Medak | State : Andhra Pradesh |
| 1 | Venkatapur | 2126 Dated 25-06-2002 | 20-12-2008 |
| | | 2905 (E) Dated 15-12-2008 | |
| 2 | Kaveli | 2126 Dated 25-06-2002 | 05-09-2009 |
| | | 2905 (E) Dated 15-12-2008 | |
| | | 949 (E) Dated 08-04-2009 | |
| | | 2212 (E) Dated 28-08-2009 | |

| 1 | 2 | 3 | 4 |
|---------------------------|---------------|--|-------------------------------|
| 3 | Gurujwada | 2126 Dated 25-06-2002 4339 Dated 10-11-2006 2905 (E) Dated 15-12-2008 | 25-12-2006 |
| 4 | Madri | 2126 Dated 25-06-2002 2905 (E) Dated 15-12-2008 949 (E) Dated 08-04-2009 2212 (E) Dated 28-08-2009 | 05-09-2009 |
| Mandal: Zaheerabad | | District : Medak | State : Andhra Pradesh |
| 1 | Huggeli | 2126 Dated 25-06-2002 4339 Dated 10-11-2006 2905 (E) Dated 15-12-2008 | 25-12-2008 |
| 2 | Ranjol | 2126 Dated 25-06-2002 2905 (E) Dated 15-12-2008 949 (E) Dated 08-04-2009 | 20-04-2009 |
| 3 | Hothi(Khurd) | 934 Dated 07-03-2005 2126 Dated 25-06-2002 4339 Dated 10-11-2006 949 (E) Dated 08-04-2009 | 20-04-2009 |
| 4 | Hothi(Bujrug) | 934 Dated 07-03-2005 2126 Dated 25-06-2002 1341 Dated 30-04-2003 2905 (E) Dated 15-12-2008 2212 (E) Dated 28-08-2009 | 05-09-2009 |
| 5 | Khasimpur | 934 Dated 07-03-2005 2905 (E) Dated 15-12-2008 2212 (E) Dated 28-08-2009 | 05-09-2009 |
| 6 | Satwar | 934 Dated 07-03-2005 2905 (E) Dated 15-12-2008 | 20-12-2008 |
| 7 | Chiragpalli | 934 Dated 07-03-2005 | 20-12-2008 |

To be published under Rule 4 of the P&MP (ARUL) Rules, 1953, framed under Section 17 of P&MP (ARUL) Act, 1952 in official Gazette of India.

[F.No. L-14014/40/2009-G.P.
K.K.SHARMA, Under Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 31 अगस्त, 2009

का.आ. 2716.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. सी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या I, धनबाद के पंचाट (संदर्भ संख्या 333/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-8-2009 को प्राप्त हुआ था।

[सं. एल-20012/317/2000-आई. आर. (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 31st August, 2009

S.O. 2716.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 333/2000) of the Central Government Industrial Tribunal/Labour Court No. I, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workman, which was received by the Central Government on 31-8-2009.

[No. L-20012/317/2000-IR(C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD.

In the matter of a reference U/s. 10(1)(d)(2A) of I. D. Act.

Reference No. 333 of 2000.

Parties : Employers in relation to the management of
Western Jharria Area of M/s. B.C.C. Ltd.

AND

Their Workmen.

Present : Shri H. M. Singh, Presiding Officer

APPEARANCES

For the Employers : Sh. H. Nath,
Advocate

For the Workman : Sh. D. Mukherjee,
Advocate and
Secretary, B. C. K.
Union.

State : Jharkhand. Industry : Coal.

Dated, the 18th August, 2009.

AWARD

By order No. L-20012/317/2000-(C-I) dated 22-11-2000 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of M/s. B.C.C. Ltd. of Western Jharria Area in dismissing Sri S. P. Chatterjee, Cap Lamp Incharge w.e.f. 29-6-2000 is proper, legal and justified ? If not to what relief is the concerned workman entitled ?”

2. Written statement has been filed on behalf of the concerned workman stating that S.P. Chatterjee had been working as permanent Cap Lamp Incharge since long with unblemished record of service. The management issued him a false and frivolous chargesheet dated 29-4-2000 which he came to know only on 17-5-2000 when he reported for his duty. The chargesheet was issued to the concerned workman for serving an Advocate Notice to the DGMS regarding Plot No. mentioned in the chargesheet. For the aforesaid reason and allegation chargesheet-cum-suspension order was issued to the concerned workman by invoking clause 26-1-11, 26-1-12 and 26-1-15. The concerned workman replied to the chargesheet denying the charges emphatically and in the same time submitted that the allegation as levelled in the chargesheet does not constitute any misconduct as per provision of the standing order and hence the chargesheet is illegal and void abinitio. Seeing the adamant attitude of the management the union on behalf of the concerned workman raised an industrial dispute before the A.L.C. (C), Dhanbad challenging the illegal and arbitrary chargesheet and suspension order. During the pendency of the aforesaid dispute before the conciliation officer the biased and prejudiced Enquiry Officer issued a notice dated 26-5-2000 wherein asking him to appear before him on 6-6-2000. The concerned workman submitted his reply dated 6-6-2000 to the aforesaid notice wherein he stated that the notice was recieved by him on 5-6-2000, so it is not possible to get himself prepared for the enquiry. He further submitted that the industrial dispute is pending wherein he challenged the charge-sheet itself. As the chargesheet was issued with an ulterior motive to victimise the concerned workman so the management was in hot haste to complete the formalities and to dismiss him and accordingly an illegal and arbitrary dismissal order dated 29-6-2000 was issued to him by an unauthorised person just few days of his superannuation. The concerned workman represented before the management against the illegal and arbitrary dismissal order but to no effect. Thereafter the dismissal order was challenged and the matter has been referred to this Hon'ble Tribunal for adjudication.

It has been prayed before this Hon'ble Tribunal to answer the reference in favour of the workman by directing

the management to reinstate the concerned workman with full back wages.

3. The written statement has been filed by the management stating therein that the concerned workman was working as a Cap Lamp Incharge of Murlidih 20/21 pits colliery. The concerned workman was issued a charge-sheet vide letter dated 29-4-2000 for violating the provisions of the Certified Standing Orders of the Company under Clauses 26-1-11, 26-1-12 and 26-1-15 i.e. dishonesty in connection with company's business, giving false information and causing wilful damage to work in progress of the company. The chargesheet was sent to the concerned workman by his native village address. The Enquiry Officer issued enquiry notice to the concerned workman through office peon, where he was not found. Again the copy of the said chargesheet was sent by registered post, which was returned undelivered. The charge-sheet was also displayed on the Notice Board. Sri B. K. Singh, the Dy. Personnel Manager, Murlidih was appointed to hold enquiry and he sent a notice of enquiry to the concerned workman vide letter dated 25-5-2000 and again by letter dated 8-6-2000. As the concerned workman did not attend the enquiry in spite of repeated notices, the enquiry was held ex-parte and the Enquiry Officer found the charges against him proved beyond shadow of doubt. The concerned workman was given again the opportunity to defend himself vide letter dated 26-6-2000 but the concerned workman refused to accept the letter. Accordingly, he was dismissed from his service of the company vide letter dated 29-6-2000. The enquiry was conducted according to the rules of natural justice and the concerned workman intentionally did not participate in the enquiry proceedings. The dismissal of the concerned workman on the grave charges indicated in the charge-sheet is perfectly legal and justified and the punishment short of dismissal would have encouraged the other employees of the company to indulge in such mal-practices.

It has been prayed that the Hon'ble Tribunal may be pleased to hold that the dismissal of S. P. Chatterjee, the Cap Lamp Incharge from 29-6-2000 is legal and fully justified and the concerned workman is not entitled to any relief.

4. Both the parties have filed their respective rejoinders admitting and denying the contents of some of the paragraphs of each others written statement.

5. The management has produced Sri Bipin Kumar Singh as MW-1, who has proved documents as Exts. M-1 to M-7.

The concerned workman has examined himself as WW-1 in support of his case.

6. The main argument advanced on behalf of the concerned workman that the concerned workman has been charge-sheeted for violating the provisions of clauses 26-1-11, 26-1-12 and 26-1-15 of the Standing Orders. He argued that the matter which is not related to the working of concerned workman and giving notice to the Advocate

to DGMS regarding plot number mentioned in the charge-sheet does not in any way violated Standing Order of the company on which basis charge-sheet was issued and the enquiry was held ex-parte and dismissal Order was issued just few days before his superannuation. He has argued that no notice was published for holding ex-parte enquiry in the News Paper.

7. In this respect it has been argued on behalf of the management that the concerned workman was given notice. He violated the company's standing orders 26-1-11, 26-1-12 and 26-1-15, so he has been dismissed from service after fair and proper enquiry.

8. The management's witness, MW-1, who has conducted the enquiry, has stated in his cross-examination "It is true that during enquiry the management did not file or produce any Advocate's notice issued to the DGMS on behalf of the concerned workman." At page 2 he has also stated. "It is true that during enquiry proceeding no any document was filed on behalf of the management to show that the management was the owner of those lands, the description of which was given in the chargesheet." He has also stated before fixing the enquiry ex-parte the enquiry notice was not published in any News Paper. It is also true that during enquiry the concerned workman had submitted a representation requesting for staying the enquiry proceeding so long the conciliation proceeding is not concluded. He has admitted that he did not grant any adjournment and proceeded in the matter and then submitted his enquiry report after concluding the enquiry proceeding.

It shows that on which chargesheet was issued that has not been produced and no witness has been produced by the Enquiry Officer. During enquiry proceeding, which violated the principle of natural justice, no notice was served upon him, as per statement of the workman, by the management. Moreover, the management has not given any notice of enquiry report of second enquiry, as such, which is also violation of judgement of Hon'ble Supreme Court reported in (1991) 1 SCC 588. The learned Advocate of the workman referred 2008 (2) JLR 513 on which Hon'ble High Court laid down-Departmental proceeding-punishment of reduction of salary-before imposing punishment, no second show cause notice served nor copy of enquiry report given by disciplinary authority-petitioner admittedly given no opportunity to defend himself nor informed on the basis of which impugned punishment awarded to him-clear case of prejudice and violation of principle of natural justice-appellate authority while dismissing petitioner's appeal, also not made any discussion on several grounds advanced by petitioner-impugned orders quashed-directed to pay amount of deducted wages for suspension period.

9. The workman also referred 1983 Lab. I. C. 1909 (SC) in which it has been laid down that Industrial Employment (standing orders) Act, 1946 condition of service and power to prescribe is not unilateral. It has also been held that under sec. 13-A of Industrial Employment

(standing orders) Act-misconduct neither defined nor enumerated in standing order-not punishable merely because employer believes it to be misconduct ex-post facto.

The management has not filed any paper showing misconduct in this standing order of the company under clause 26-I-11, 26-I-12 and 26-I-15 on which basis charge-sheet has been issued to the concerned workman. Moreover, as per management's witness no paper has been filed regarding ownership of the management on which basis the chargesheet has been issued to the concerned workman because of his notice to the DGMS.

10. In view of the discussions made above, I come to the conclusion that the action of the management of M/s. BCCL of Western Jharia Area in dismissing Sri. S. P. Chatterjee, Cap Lamp Incharge, w.e.f. 29-6-2000 is not proper, legal and justified. So, he is entitled for reinstatement till his superannuation with full back wages. The management is directed to implement the award within 30 days from the date of publication of the award.

H. M. SINGH, Presiding Officer

नई दिल्ली, 31 अगस्त, 2009

का.आ. 2717.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेशनल एविएशन कम्पनी ऑफ इंडिया लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चेन्नई के पंचाट (संदर्भ संख्या 69/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/57/2002-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 31st August, 2009

S.O. 2717.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 69/2003) of the Central Government Industrial Tribunal/Labour Court Chennai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of National Aviation Company of India Ltd. and their workmen, which received by the Central Government on 31-8-2009.

[No. L-11012/57/2002-IR(C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL - COMBINED COURT
CHENNAI

Thursday, the 27th August, 2009

Present: A. N. Janardanan, Presiding Officer

Industrial Dispute No. 69/2003

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of

Section 10 of the Industrial Disputes Act, 1947), between the Management of Indian Airlines Ltd. and their workmen.)

BETWEEN

1. The General Secretary : 1st party/1st Petitioner
Airport Employees Union
Federation of India
Chennai.

2. The General Secretary : 1st party/2nd Petitioner
Chennai Airport : Union
Contract Workers
Union Chennai

Vs.

The Management : Respondent/II Party
National Aviation
Company of India Ltd.
Airlines House
Meenambakkam
Chennai-27.

APPEARANCES

For the 1st Petitioner Union : M/s. Balan Haridas

For the 2nd Petitioner Union : M/s K. M. Ramesh

For the Management : M/s. N. G. R. Prasad

AWARD

The Central Government, Ministry of Labour vide its order No. L-11012/57/2002 IR-(C-I) dated 10-04-2003 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is :

"Whether the demand of Airports Employees Federation of India from the management of Indian Airlines Ltd. For absorption of 99 contract workmen (as per list) by the principal employer (M/s. Indian Airlines Ltd.) in their respective cadres/trades is just, fair and legal? If so, to what relief are the workman entitled and from what date?"

2. After the receipt of the Industrial Dispute, this Tribunal has numbered it is ID 69/2003. Pursuant to notice both the parties entered appearance through their respective counsel and filed their respective pleadings viz. Claim Statement and Counter Statement as the case may be.

3. While so as per order dated 3-2-2004 on IA 32/2003, 1st Party/2nd petitioner was impleaded.

The 1st Party/1st petitioner filed pursuant to implement of 2nd petitioner amended statement of claim and the 1st Party/2nd petitioner filed a separate claim statement. A common counter statement was filed on behalf of the Respondent. Rejoinder statement was filed by 1st Petitioner Union and Reply filed by 2nd Petitioner Union. Second Petitioner Union filed additional Claim Statement to which Respondent filed Additional Counter Statement again to which 2nd Petitioner Union filed reply.

4. The averments in the amended Claim Statement of 1st Party/First petitioner union read briefly as follows :

The members of the First Petitioner Union were employed as Sweepers, Scavengers, Electricians, Assistant Electricians, Plumbers, Carpenters and Air-condition Plant Operators under the Respondent through Contractors and have put in not less than 2 years but extending to 10 years service and continuing in service even with the change of Contractors. The work of the petitioners is perennial in nature. The contract between the management and the Contractors is mere paper arrangement. The work is controlled and supervised by the officials of the Respondent. The Contractors are merely name lenders. Payments are directly made by the Management. Respondent official extract the work. The contract is sham and nominal to evade compliance of beneficial legislations. the contract is devised to deny subject workmen status and benefits of regular workmen. The Contract Labour (Regulation and Abolition) Act, 1970 is to abolish contract labour in perennial nature work which is exploited by the Respondent. As per the decision of the Apex Court in STEEL AUTHORITY OF INDIA LTD. AND OTHERS AND NATIONAL UNION WATERFED WORKERS AND OTHERS (2001-4-LLN-135), it has been held that *"If the alleged contract between the Principal Employer and Contractor is sham and nominal, the workmen have the right for absorption"*. Regarding Sweepers and Scavengers, the Contractor is one Mrs. Girija with the Management. In regard to electrical maintenance work, the contract is with Kamatchi Amman Electricals for whom no license is obtained under the Contract Labour (Regulation and Abolition) Act, 1970. For plumbing and carpentry work, the contract is with Rangan Electricals. Regarding sewage and water treatment plant, the contract is with Enrac Engineering. M/s. Blue Star International has taken contract for Air-conditioning Maintenance Plant. The work is of perennial nature. It is just for the management to employ workmen directly since the work is perennial in nature. Since the efforts with the Management for regularization of the subject workmen were not fruitful, ID was raised, conciliation was held but which having failed culminating in the failure report, the present reference is occasioned at the instance of the Ministry of Labour and Employment. The contention of the Management that the Management has registered under the Contract Labour (Regulation and Abolition) Act, 1970 as Principal Employer at the conciliation proceedings and can therefore keep contract workers is without any substance. That is not a ground for bar from making a claim for absorption on the ground that the contract is sham and nominal. It is the management that employs, supervises and controls the workmen. The claim of the management is with a view to exploit cheap labour in victimization and unfair labour practice. The First Petitioner Union confines the Industrial Dispute with respect to Electricians, Asstt. Electricians and Electrical Supervisor, altogether 28 in number.

5. The Second Petitioner Union espoused the same or similar cause in respect of workmen employed as Plumber, Plumbers and Carpenter and Carpenter helpers

numbering to 19. For plumbing the so called Contractor is Ranga Electricals and for Carpentry work, the Contractor is P. Krishnan, both of whom are only name lenders. The subject workmen are directly under the control and supervision of the Respondent whose work is of perennial nature. They have been working for a period ranging from 5 to 20 years. the son of Contractor Rangan is working as Supervisor with the subject workmen. The contract or is nowhere in the workspot. Rangan is paid wages at Rs. 2,600 per mensem showing the contract to be false. The subject workmen are working in the Service Complex and NNTC, Airline House, Booking Office and Airlines Staff Colony. One set of Plumber to whom are assigned the plumbing work in the Service Complex and NNTC also take care of the overhead tank (1,35,000 litres) supplying water to the above area. They also take care of 6 borewells, pump houses, under ground sumps, supply of water to all of which is essential. One Plumber and One Helper are posted at Airline House where plumbing work requires constant maintenance and plumbing in a very huge built-up area. The maintenance of open well water supply and two pump houses is also attended to by them. Water supply to the booking office apartment located at huge premises is maintained by the Plumber and Helper. In the staff of colony of Indian Airlines, 4 Plumbers and 4 Helpers are working. They also maintain the attached sport stadium and the holdings there within, community centre, kindergarten school, pump houses, 3 bore wells, 3 open wells, sewerage treatment plants, main overhead tank, individual over head tanks, maintenance office, garden pipelines etc. The plumbers work in 3 shifts as well as in the night during summer season. The present strength of the subject workmen is insufficient. The entire carpentry maintenance work in the above areas is done through 3 Carpenters and 2 Carpenter helpers whose work is continuous. Plumbers are paid Rs. 2,560 Plumbing helpers Rs. 2,350, Carpenters are paid Rs. 2700 and Carpenter helpers Rs. 2,500 as wages per mensem. Carpenters work under the direct control of Civil Engineering Department of the Management. The work of Plumbing and Carpentry is directly entrusted to the concerned worker by the Dy. Manager of the Respondent, Junior Engineer under Respondent gives instructions. The complaints are received and registered by the Engineering Department and work is accordingly entrusted to the concerned worker. The Contractor is nowhere there. The Contractor's son disburses monthly payment to the Plumbers. The Carpentry Contractor also simply disburses the wages.

6. In the common Counter Statement, the Respondent raised the contentions which read briefly as follows:

The 1st Party/First Petitioner Union having confined their relief in respect of 28 workmen in the Electrical Maintenance Work and 1st Party/Second Petitioner Union confining to 19 workmen under Plumbing and Carpentry totaling to 47 workmen whose cases are espoused by the respective unions, the Counter Statement is also limited

to such workmen. The nature of electrical work let out on contract relates to replacement of fluorescent tubes, chokes, repairs and rewiring of light fittings, starters, repairs of fans, motors etc. at the various places at Chennai Airport. There was advertisement in Newspapers dated 17-07-1994, out of 42 applicants, 8 were shortlisted. Of them, M/s. Kamatchi Amman Electricals was given contract on 10-01-1995 for 2 years. There was deposit of EMD of Rs. 24,800 which was adjusted against a Security Deposit of Rs. 25,920. The contract amount was Rs. 72,000 per mensem. The Contractor had to engage one Electrical Supervisor and 14 sets of workers, each set consisting one Electrician and one Helper. The Respondent is a registered employer under Contract Labour (Regulation and Abolition), Act, 1970. M/s. Kamatchi Amman Electricals has obtained Contractors License who has separate EPF and ESI Code. The workers were supplied by the Contractor who also paid wages to them collecting the same through their representative at the time of wages disbursement as authorized under Section-21 of the Act. The work was got done and supervised by the Contractor. The contract stood extended from time to time. In 2002, there was contract locationwise (5 locations) four locations with the same Contractor and the IAL Housing Colony with Ranga Electricals who is also a license holder and with separate EPF and ESI Code. Fault of work is only informed to Contractor Supervisor. The Management representative only ensures correct payment of wages by the Contractors. Rs. 45,000 per mensem is paid to Ranga Electricals. The contract is genuine and not sham and nominal. The workers were not appointed by the Management. It is denied that the contract system is adopted to deprive workmen their legitimate claims. The electrical work is not perennial. Only when there is fault, the workers are needed. Such questions arise for consideration only when appropriate Government is moved by the workmen under Section-10 of the Contract Labour Act for abolition of the system. The workmen under Kamatchi Amman Electricals in their Claim Statement under Section-33(C)(2) in CP No. 68/96 stated that they are workers under the Contractors as opposed to their present stand. For plumbing work pursuant to advertisement as above Ranga Electricals was selected as the Contractor for 1 year w.e.f. 01-04-1996 for contract amount of Rs. 38,560 per mensem. They have a license. There should be one Supervisor and 7 sets of workers, Engineer In-charge would appraise the Supervisor of the Contractor who attends to it. The Contractor has to be present as and when required. The contract was extended for 2 years from 01-04-1997 and again renewed for another year and extended till 31-07-2003. While so, when fresh tenders were called since status quo order was obtained by Second Petitioner Union, the said contract is ongoing. It is denied that the workers are directly under the Respondent or that work is perennial in nature. The Contractor's son is supervising the work as Supervisor whose presence in

the vicinity is enough. The carpentry work was also contracted on the above lines and T. Girija was issued the contract who deposited Rs. 4,000 as EMD later adjusted as Security Deposit. The contract was issued for one year for a consideration of Rs. 10,300 per mensem. Thereafter renewed. Thereafter following the same process another Contractor P. Krishnan was appointed which was extended from time to time. While another Contractor was about to be appointed, the Second Petitioner Union obtained status quo order and therefore that Contract with P. Krishnan is ongoing. The work relates to replacement of damaged parts and repairs when required as well as maintenance by deploying sufficient workmen. The work is also not perennial as could be seen from the nature of the work. The said Contractor remits the EPF and ESI contributions. It is not necessary for him to obtain license since he is engaging less than 20 employees. The contract is not sham and nominal.

7. In the Rejoinder Statement, the further contention raised by the First Petitioner Union briefly reads as follows:

Prior to 1991, the subject workmen were under a Contractor by name Doss. It was thereafter that they came under M/s. Kamatchi Amman Electricals. Initially and lately except after 1995 for a while Kamatchi Amman Electricals has had no license. ESI contribution was paid under the code number of the Respondent. There is no electrician employed by the Respondent for all kinds of electrical works. It is difficult to believe that there is no electrical work to be done in an establishment of this magnitude. In the place of CP 68/96 "Withdrawn Dismissed" CCP 6/2002 has been filed and pending before Central Government Labour Court, Chennai.

8. In the Reply Statement, the contentions raised by the Second Petitioner Union briefly read as follows:

Plumber workers started working since 1980 and not 1996. M/s. Ranga Electricals came in 29 years before. That his contract was extended from 30-05-1997 is not true. When there arose Glamour for regularization after long years of service while Respondent invited tender, Union approached the High Court in Writ. Attendance Registers and Complaint Registers are maintained by the Respondent in respect of them signed by Airlines officials. The officials depute the workmen to attend the work. They would also issue completion certificate. Same is the case with the Complaint Registers in the Staff Quarters. Thus the workers are supervised and are under the control of the Respondent. Wages were distributed and Wage Register authenticated by the officials. Carpenters are working since 1991 and not from 1995.

9. In the additional Claim Statement, the Second Petitioner Union placed contentions which briefly read as follows:

33 Sweepers and Cleaners have become members of the Second Petitioner Union after resigning from the First

Petitioner Union. They are working in the premises of the Respondent in various departments since long years in a continuous and perennial manner under direct control of the Respondent. Even with change of several Contractors they remain continuously engaged in sweeping and cleaning activities. They work in the Personnel Department, Accounts Department, Civil Engineering, Vigilance, Stores and Medical Departments, Car Parking, Sports club and Stationery Stores, Toilets, Service Complex, Transport and Security Departments, New Hangar Department, Canteen, Catering, Cargo, Ground Support, Import Cargo, Operation Departments mopping in personnel and accounts department, with a so-called supervisor who also actually works. The Personnel Department controls them. Materials are provided by the Respondent. The Respondent engages permanent workers under the category who are doing the same work and are with all benefits. To deny benefits, the workers are termed as Contract Employees which is not true and the contract is sham and nominal. They are entitled to regularization.

10. In the additional Counter Statement, the Respondent avers as follows :

The Respondent engages 45 Sweepers and Cleaners whereas only cases of 33 such members have been espoused by the Union. It is as per paper advertisement and after obtaining tender forms from competitive tenders that T. Girija, lowest quoted tenderer was appointed as Contractor which was extended for another year. In 1993, new tender was invited and one Sudarshan was appointed for one year which was extended for another year. While so, when fresh notification was issued, the same Sudarshan won the contract on 16-5-1995 who was appointed for 3 years and who also got a license. He also executed Bank Guarantee towards Security Deposit and got allotted PF Code Number. In 2000 he having found to be defaulter in the remittance of worker's contribution, his contract was terminated and the previous Contractor Girija was assigned the contract work. Then the Petitioner Union obtained status quo order. The work was executed by the Contractor. The fact that with change of Contractor but not with change of employees what it means is that they are workers under the Respondent. The Contractor alone pays salary to the workmen. The contract is genuine. Power of prohibition of Contract Labour under Section-10 (1) of the Contract Labour (Regulation and Abolition) Act, 1970 vests with the Central Government vide judgement of the Supreme Court in Steel Authority's case (2001-7-SCC 1). They are not entitled to the relief.

11. In the reply to the Additional Counter Statement of the Respondent, the Second Petitioner Union raised contentions which briefly read as follows :

During June 2000 to July 2001, Sweepers became direct employees in the absence of so-called Contractor. Without notice under Section-9A the change is void abinitio. The contract is sham and nominal. The

Respondent disburses wages. They are entitled to be regularized.

12. Points for consideration are :—

- (i) Whether the demand for absorption of the petitioners by the Respondent/Management in their respective cadres/trades is just, fair and legal ?
- (ii) To what relief they are entitled to ?

13. Evidence in this ID consists of the oral evidence of WW1 to WW5 and Ex. W1 to Ex. W112 on the petitioner's side and testimony of MW1 to MW3 and Ex. M1 to Ex. M215 on the side of the Respondent.

Point No. 1

14. Under the reference the number of workmen referred as per enclosed list is 99. But by the respective First and Second Petitioner Union together the cases of only a total of 80 workmen under the various categories viz. Electrician, Asstt. Electricians, Plumbers, Plumber helpers, Carpenters, Carpenter helpers, Air condition Plant Operators, Sweepers and Cleaners are espoused by setting up relevant pleadings, as against 99 workmen under the reference as per list.

15. The learned counsel for the First Petitioner Union and Second Petitioner Union of whom the case of electricians, Asstt. electricians and Electrical Supervisor numbering to 28 is espoused by the First Party/1st petitioner union. The workers under the other categories having resigned from the Union and joined the 1st party/2nd petitioner union the common contentions on behalf of the workmen under both the Unions advanced by the respective counsel are that though they are styled as contract workmen, they are actually workmen directly under the Respondent/Management and the contract is a mere paper arrangement between the two contracting parties viz. the concerned contractors of the various items of work on the one hand and the Management on the other. The work turned out by the workmen is also sought to be characterized as of perennial in nature with control and supervision over them by the Respondent/Management through its officials. The Contractors are attributed of being merely name lenders. Another contention is that payments due to the workmen concerned are made by the Management and that actually the Respondent officials are extracting the work from the workmen. The contract is also assailed as sham and nominal with a view to evade compliance of the requirement of beneficial legislations such as status as well as monetary and other benefits that would accrue to the regular workmen. It is further pointed out if the contract is one found to be sham and nominal the workmen have the right to absorption vide the judgment of the Apex Court in Steel Authority of India and Others and National Union Waterfed Workers and Others (2001-4-LLN-135).

According to the learned counsel it is just for the Management to employ workmen directly since the work is perennial in nature. They would further contend that it is the Management that employs and supervise the workmen. The Management is exploiting cheap labour in victimizing and adopting unfair labour practice upon the workmen.

16. The Second Petitioner Union who espouses the cause of Plumbers, Carpenters and Helpers, Sweepers and Cleaners numbering 33 also canvassed the same or similar contentions. According to him the Contractor is nowhere in the workshop.

17. The contra contentions on behalf of the Respondent are that a flat denial of the claims of the petitioners. According to them, the nature of work let out on contract was after inviting tenders in the wake of notification and following the due selection process and demanding the successful bidder to deposit Security Deposit, thereafter fixing contract amount payable per mensem and such other formalities. They further contend that the Respondent is a registered employer under the Contract Labour (R&A) Act, 1970 and they are authorized to keep contract workmen. According to them the Contractors appointed have had license with EPF and ESI Codes. The Contractors got the work done and supervised and the various contracts stood extended from time to time. The payment of wages is not made by the Management. Only Management representative ensures correct payment of wages by the Contractors as authorized under Section-21 of Contract Labour Act, 1970. The contract is not sham and nominal. The contract system is not a ruse in victimization or adopting unfair labour practice on the workmen. The electrical work is not perennial. In the Claim Statement of CP 68/96 under Section-33 (C)(2) of ID Act, the petitioners have admitted to be workers under the Contractors which is a stand opposed to in this ID. The presence of Contractor is necessary as and when needed. Supervisors are there to control the work. Carpentry item of work relates to replacement of damaged parts effecting repairs and maintenance which is not perennial from their very nature. The Carpentry Contractor engages only less than 20 employees and therefore no license is needed for him under Contract Labour Act.

18. The learned counsel for the petitioner union further contended that as regards Sweepers an emphatic argument is that during June 2000 to July 2001 there was no Contractor and that they became direct employees. The change so occasioned is without a notice as required under Section-9A of the ID Act and is therefore void. It is further contended that the Sweepers have been working since long years in a continuous and perennial manner under the direct control of the Respondent and even with change of Contractors now and then they were engaged continuously to carry on the sweeping and clearing activities. It is to deny benefits extended to permanent

worker under the category of Sweepers that the temporary workmen under the same are termed as contract workers.

19. A perusal of the evidence documentary and oral and other relevant records only leads me to the conclusion that the case of the petitioners under all the categories are bound to fail. None of the documents relied on and exhibited on behalf of the petitioner is capable of showing at least a tendency of the claim of the petitioners being true regarding the nature of their appointments, the wages payable and the mode thereof. There is nothing to show that any items of work carried out by the various categories of workmen are of a perennial nature and that they have been engaged in doing them for a very long time in a perennial manner. Having special reference to various items of work it could be seen that each such item of work is not of a perennial nature. Electrical maintenance work could be found from the very nature to be attended to not perennially or in a continuous manner. Once the electrical installation is already there and if satisfied to be intact, thereafter what is required to be done is when any fault occurs in relation to the said installation or the system in piecemeal or in the whole that it has to be attended to by way of repair or of providing some additional facility or the rectification of defect as each situation specifically warrants. It could hardly be a perennial nature of work to be attended to by providing a network of workmen or a single workman always on guard or alert to do it continuously from round the clock. The same is the case with the items of work such as Plumbing and Carpentry as well. Regarding the work of Sweepers and Cleaners evidently there is a set of regular employees under the Management who attend to the said item of work in a routine manner in the sphere of their allotted activity. Contract labour are engaged in various other premises of the establishment under the Respondent which require sweeping or cleaning premises but not as incidental to the main activity of the establishment. The fact that a regular set of employees is maintained for attending to that item of work itself connotes the idea that the Sweepers and Cleaners engaged as contract labour are meant for premises with only a mediocre importance and not for so essential areas or premises incidental to the main activity of the establishment. However, it does not mean that they are not a category of workmen for doing the same work which would totally be avoided or evaded from the very establishment to keep the premises and precincts of the establishment quite clean and hygienic. The fact that even with a change of a Contractor another Contractor is sought to be inducted for getting done such item of work itself shows that a set of such category of workers is also needed to do sweeping and cleaning work. The same is not to be of such a perennial and regular work of sweeping and cleaning as attended to by the workmen borne in the cadre of the regular establishment under the Management. The petitioners have no case that they are appointed by

means of orders of appointment issued to them or that they were selected under a due process of recruitment undergone in accordance with established rules or regulations.

20. Here the predominant contention of the petitioners inter-alia is that though they came in as contract labour, they came to be workers directly under the Respondent/Management at least from a certain point of the time if not from the very inception. That is to say the contract through which they came is mere sham and nominal or rather a camouflage in later times. The Contractors are only name lenders and this device is adopted by the Management so as to deprive them the benefits extended to regular employees and to reap cheap labour in their victimization and unfair labour practice. This aspect has to be met with a more critical mind as to how far they could be true. The very fact that these workmen are doing works of such a nature as are not perennial or continuous with regard to the time for its performance makes it a reality that no Management could afford to maintain such a set of workmen with the obligation to pay them all the benefits that accrue to a regular employee. For the fact that the work of the petitioners cannot be found to be totally perennial in nature, they cannot be equated with the status of regular employees and in terms of monetary considerations as well. Some other instances canvassed on behalf of the petitioners that they are paid wages directly by the Management, that their work is controlled and supervised by the officials of the Management, that their Attendance Registers etc. are maintained by the Respondent/Management are not facts proved to be actually so. The presence of the Contractor at the workspot even according to the Respondent/Management is only needed as and when called for. Supervisors under the Contractors are admittedly present at the workspot, who according to the petitioners themselves do the work along with them. That cannot be taken as a circumstance to hold that such Supervisors are also workers like them. It is pertinent to note that the contract labour working continuously for years and acquire much experience in their work they are doing and therefore gradually the necessity of the presence of a Supervisor to give any instructions to them at the workspot invariably pales into insignificance. Discernibly there is no worthwhile evidence to show that the petitioners are direct workers under the Management and that the contract is only sham and nominal. There is also no evidence to show that the work is of a perennial nature though the contract document is not produced before the tribunal everybody admits the fact that there is a contract which the petitioners describe as only a paper arrangement and is not one intended to work out. Speaking circumstances as to existence of a contract dispenses with the necessity of producing it. Therefore the non-production of the contract document is also of no significance to disprove the case of the Respondent as to the existence of a

contract inter se the Management and the concerned Contractors. On all these considerations it is only to be held that the claim of the petitioners that the contract is sham and nominal and that they are direct workers under the Management and are entitled to regularization is only to be dismissed. It is ordered so.

Point No. 2 :

To what relief the concerned workmen are entitled to ?

21. In the light of above finding, none of the Petitioner Unions is entitled to the claim for regularization under the Respondent/Management and they are not entitled to any relief.

22. The learned counsel for the petitioners vehemently advanced before me another contention that since the petitioners under the various categories having been working quite for a long time numbering to several years in the event of an order being rendered against them as being not entitled to be regularized under the services of the Respondent/Management, this Tribunal in the equitable exercise of discretion may be pleased to extend to them a concession of prolongation of their service period until a time regular employees take charge in their places owing to their having to be discharged from their respective avocations. I am rightly reminded of the power of this Tribunal to mould reliefs as an Industrial Adjudicator in appropriate cases. Having regard to the earnest submissions made on behalf of the workmen, I am of the view that they may not be made to vacate their present avocations instantaneously with or immediately after the passing of this award. It is only just and proper that they are allowed to continue in their present avocations until they are to be replaced by similar workmen if at all a new Contractor/Contractors securing entry into the scene must replace them who have been in the field with rich experience of long years of service and whose services could be used by the same Contractors if continued to employ with much efficacy, until any other workmen newly appointed in their places actually takes charge. So ordered.

23. The reference is answered as above as far as the same relates to the 80 workmen who appeared and contested filing statements of claim out of the 99 workmen under reference.

24 The reference is answered accordingly.

(Dictated to the P. A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 27th August, 2009)

A. N. JANARDANAN, Presiding Officer

Witness Examined

For the 1st Party/ : WW1 Sri Anand Kumar
Petitioner : WW2 Sri E. Venkatraman
WW3 Sri N. K. Murugesan
WW4 Sri A. Nagarjan
WW5 Sri A. Tajuddin

For the 2nd Party/ : WW1 Sri N. Sundaresan
Management WW2 Sri C.P. Radhakrishnan
WW3 Sri G. Viswanathan

Documents Marked on the petitioner's side

| Ex. No. | Date | Description | Ex. No. | Date | Description |
|---------|---------------|--|--------------------|------------|--|
| Ex.W1 | 1998-99 | Annual employee's Provident Fund Statement of two of the concerned workmen. | Ex.W15 | 27-10-2002 | Letter from the Respondent to M/s Sri Kamatchi Electricals Re : Maintenance of Electrical Installations for Indian Airlines establishments with annexures. |
| Ex.W2 | 1999-2000 | Annual Employee's Provident fund Statement of concerned workmen. | Ex.W16 | 13-02-2002 | Letter from Respondent formulating Technical Specifications for fresh contract. |
| Ex.W3 | January, 2001 | Salary Register for the month of January, 2001. | Ex.W17 | 24-09-2002 | Letter from Respondent re: Upkeep/Maintenance of electrical installations for Indian Airlines. |
| Ex.W4 | March, 2001 | Duty Roaster for the concerned workmen for the month of March, 2001. | Ex.W18 | — | Entry Pass issued to members of Petitioner Union No.1 (9 sheets). |
| Ex.W5 | 24.12.2001 | Letter from Petitioner Union No.1 raising Industrial Dispute before the Asstt. Labour Commissioner (Central), Chennai. | Ex.W19 | — | Extract from Telephone Index issued by the Respondent. |
| Ex.W6 | Sept., 2002 | Duty Roaster for the concerned workmen for the month of Sept., 2002. | Ex. W20 (series) — | | Index to typed set of documents Volume-1 (Plumbers and Carpenters) (S.No. 1 to S.No. 11). |
| Ex.W7 | 03-04-2004 | Letter from Governemtn of India, Ministry of Labour, New Delhi to Petitioner Union No. 1.. | Ex.W21 | — | Index to typed set of documents - Volume -1 (Plumbers and Carpenters) (S.No.12). |
| EX.W8 | April, 2004 | Extracts from Complaint Register maintained by the Respondent. | Ex.W22 | 1994 | Attendance Register of Plumbers |
| Ex. W9 | — | Extracts from Complaint Register maintained in Airlines House (2 sheets). | Ex. W23 | 1996-97 | Attendance Register of Plumbers |
| Ex. W10 | — | Extracts from High Tension (HT) Log Register maintained in Airlines House (2 sheets). | Ex. W24 | 1997 | Attendance of Plumbers and Carpenters. |
| Ex.W11 | — | Extracts from Generator Register maintained in Airlines House (1 sheet). | Ex.W25 | 1998 | Attendance Register of Plumbers and Carpenters . |
| Ex.W12 | — | Extracts from Complaint Register maintained in Service Complex (1 sheet). | Ex.W26 | 1998-99 | Attendance Register of Plumbers and Carpenters. |
| Ex. W13 | — | Extracts from High Tension (HT) Log Register maintained in Service Complex (2 sheet). | Ex.W27 | 1999 | Attendance Register of Plumbers and Carpenters. |
| Ex. W14 | — | Extracts from Generator Register Maintained in service complex (1 sheet). | Ex.W28 | 2000 | Attendance Register of Plumbers and Carpenters. |
| | | | Ex.W29 | 2001 | Attendance Register of Plumbers |
| | | | Ex.W30 | 2001-2002 | Attendance Register of Plumbers and Carpenters. |
| | | | Ex.W31 | 2003 | Attendance Register of Plumbers and Carpenters. |
| | | | Ex.W32 | 2004 | Attendance Register of Plumbers and Carpenters. |
| | | | Ex.W33 | 1993-94 | Complaint Register -Plumbing |
| | | | Ex.W34 | 1994 | Complaint Register -Plumbing |
| | | | Ex.W35 | 1996-97 | Complaint Register -Carpentary |
| | | | Ex.W36 | 1998 | Complaint Register -Plumbing |

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| Ex.W37 1998 | Complaint Register - Carpentry | Ex.W64 2000-01 | The Attendance Register for Plumbing and Carpentry workers for the year 2000-01 |
| Ex.W38 1999 | Complaint Register - Plumbing | | |
| Ex.W39 1998/99/2000 | Complaint Register - Plumbing | Ex.W65 Jan, 2002 | The Attendance Register for Plumbing and Carpentry workers for the month of Jan, 2002 |
| Ex.W40 1999/2000 | Complaint Register - Carpentry | | |
| Ex.W41 1998/99/2000 | Complaint Register - Plumbing | Ex.W66 July, 2002 | The Attendance Register for Plumbing and Carpentry workers for the month of July, 2002 |
| Ex.W42 2000 | Complaint Register - Plumbing | | |
| Ex.W43 2000 | Complaint Register - Plumbing | Ex.W67 Aug, 2002 | The Attendance Register for Plumbing and Carpentry workers for the month of August, 2002 |
| Ex.W44 2000-2004 | Complaint Register - Plumbing | | |
| Ex.W45 2000 | Complaint Register - Plumbing | Ex.W68 Sept., 2002 | The Attendance Register for Plumbing and Carpentry workers for the month of September, 2002 |
| Ex.W46 2002 | Complaint Register - Plumbing | | |
| Ex.W47 2000/01/02/03 | Complaint Register - Plumbing | Ex.W69 Oct., 2002 | The Attendance Register for Plumbing and Carpentry workers for the month of October, 2002 |
| Ex.W48 2000/01/02 | Complaint Register - Carpentry | | |
| Ex.W49 2000/01 | Complaint Register - Carpentry | Ex.W70 Nov, 2002 | The Attendance Register for Plumbing and Carpentry workers for the month of November, 2002 |
| Ex.W50 2001/02 | Complaint Register - Plumbing | | |
| Ex.W51 2002 | Complaint Register - Carpentry | Ex.W71 Dec. 2002 | The Attendance Register for Plumbing and Carpentry workers for the month of December, 2002 |
| Ex.W52 2001/2002 | Complaint Register - Plumbing | | |
| Ex.W53 2002 | Complaint Register - Plumbing | Ex.W72 1998 | The Complaint Register for Plumbing—year 1998 |
| Ex.W54 2002/2003 | Complaint Register - Plumbing | Ex.W73 1998 | The Complaint Register for Carpentry—year 1998 |
| Ex.W55 2003 | Complaint Register - Plumbing | Ex.W74 1999-2000 | The Complaint Register for Carpentry—year 1999-2000 |
| Ex.W56 2002/2003 | Complaint Register - Carpentry | Ex.W75 2001 | The Complaint Register for Plumbing—year 2001 |
| Ex.W57 2003 | Complaint Register - Plumbing | Ex.W76 2000-2001 | The Complaint Register for Carpentry - year 2000-2001 |
| Ex.W58 1999 | The completion certificates issued during various dates during the year 1999 (48 numbers of certificate) | Ex.W77 2002-03 & 2005 | The Complaint Register for Plumbing- year 2000/2001/2002/2003/2005 |
| Ex.W59 2000 | The completion certificates issued during various dates during the year 2000 (64 numbers of certificate) | Ex.W78 2003-2004 | The Complaint Register for Plumbing - year 2003-2004 |
| Ex.W60 2001 | The completion certificates issued during various dates during the year 2001 (89 numbers of certificate) | Ex.W79 2004 | The Complaint Register for Carpentry - year 2004 |
| Ex.W61 2002 | The completion certificates issued during various dates during the year 2002 (82 numbers of certificate) | Ex.W80 2004 | The Complaint Register for Carpentry - year 2004 |
| Ex.W62 2003 | The completion certificates issued during various dates during the year 2003 (215 numbers of certificate) | Ex.W81 2005 | The Complaint Register for Plumbing and Carpentry - year 2005 |
| Ex.W63 2004 | The completion certificates issued during various dates during the year 2004 (19 numbers of certificate) | Ex.W82 1987 | The photographs taken during the year 1987 Ayutha Pooja function (5 Nos.) |

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| ExW83 1993 | Photographs taken during the year 1993 Ayutha Pooja function (6 Nos.) | Ex W108 27-06-2005 | Endorsement for satisfactory work |
| ExW84 1999 | Photographs taken during the year 1999 Ayutha Pooja function | Ex.W109 Sept. 2002 | Wage Register |
| ExW85 2000 | Photographs taken during the year 2000 Ayutha Pooja function | Ex.W110 Sept. 2003 | Wage Register |
| ExW86 2003 | Photographs taken during the year 2003 Ayutha Pooja function | EX.W111 Dec. 2003 | Wage Register |
| ExW87 1997-98 | Plumbing Complaint Register | Ex W112 Jan 2004 | Wage Register |
| Ex.W88 1998-99 | Plumbing Complaint Register | On the Management's side | |
| EX.W89 2000 | Plumbing Complaint Register | EX.No. Date | Description |
| Ex.W90 2004 | Plumbing and Carpentry Maintenance Register | Ex.M1 7-5-1987 | ALC(C), Madras granted certificate of Registration to Indian Airlines under Sub-Section (2) of Section-7 of C.L. (R&A) Act, 1970 |
| Ex W91 2005 | Plumbing and Carpentry Maintenance Register | Ex. M1A - | Letter dated 22-06-1988 from ALC(C), Madras amending Col 4 of Certificate of Registration to read as "Less than One hundred only" |
| Ex. W92 2003 | Attendance Register of Plumbing and Carpentry Employees | Ex. M1B - | Letter dated 02-07-1991 from ALC(C), Madras amending Col 4 of Certificate of Registration to read as "More than 400 Labours" together with enclosures (SI.No. 4(c), (d), (f) are Sweeping/Cleaning contractors |
| EX.W93 - | Photo Identity Cards in respect of 33 Sweeper/Cleaners | Ex. M2 3-3-1991 | Office note of Executive Engineer, IAL, Chennai on release of press advertisement of award of contract for upkeep maintenance work in respect of premises of IAL at 3 locations: |
| EX.W94 23-04-99 | Letter regarding service particulars of Sweepers/Cleaners | | 1 Main Booking Office |
| Ex.W95 09-10-2000 | Proceeding of the respondent regarding disbursement of wages to the sweepers/cleaners | | 2. IA Housing Colony |
| Ex.W96 10-07-2000 | Wage Disbursement for June 2000 | | 3. Airlines House, Service Complex and IA offices at Airport premises |
| Ex.W97 09-08-2000 | Wage Disbursement for July 2000 | Ex. M3 31-3-1991 | Press clipping from Dinamani dated 31-03-1991 (Page-3) carrying the Tender Notice issued by IAL for the above work |
| Ex.W98 08-09-2000 | Wage Disbursement for August 2000 | Ex. M4 28-5-1991 | Office note together with the Committee on award of upkeep and maintenance contract of IA premises at 3 locations |
| Ex.W99 October 2000 | Wage Disbursement for October 2000 | | 1. Booking Office - M/s T.Girija @ Rs. 5990/pm |
| Ex W100 July 2001 | Endorsement for satisfactory work | | 2. IA Housing Colony - M/s Vijayalakshmi Sanitation Services @ Rs. 54,940/- and |
| Ex.W101 03-07-2001 | Endorsement for satisfactory work | | |
| Ex.W102 01-10-2001 | Endorsement for satisfactory work | | |
| Ex.W103 03-12-2001 | Endorsement for satisfactory work | | |
| Ex.W104 01-07-2002 | Endorsement for satisfactory work | | |
| Ex.W105 28-01-2005 | Request for renewal Photo Passes | | |
| Ex.W106 27-05-2005 | Request for renewal of photo passes | | |
| Ex.W107 30-05-2005 | Endorsement for satisfactory work | | |

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| | 3. A/House, ISC etc. - M/s T. Girija @Rs. 9490/- p.m. | Ex.M13 26-2-1995 | Press release for pre-qualification notice in "Indian Express" and "Dinamani" for Sweeping and Cleaning works, Plumbing and Carpentry Maintenance for locations at Airlines House, Main Booking Office, Service Complex and IA Offices at Airport premises and operation/maintenance of Sewage Treatment Plant in IA Housing Colony |
| Ex.M5 2-8-1991 | Letters from MPS, IAL to all Departmental/Sectoral Heads of IAL, Chennai regarding the award of fresh contracts for upkeep maintenance in respect of 3 locations w.e.f. 01-08-1991 and instructions thereon | | |
| Ex.M6 5-1-1993 | Office note on award of fresh contract for the period 1992-1993 pursuant to limited tenders floated for the above work from amongst the parties who responded to 1991 press advertisement dated 31-03-1991 | Ex.M14 13-4-1995 | Report of the Committee after evaluation of the tenders received short listing 5 parties together with evaluation sheet of the parties for issuance of tender |
| Ex.M7 10-2-1993 | Letter awarding contract of upkeep maintenance work of IA Housing colony premises to M/s T Girija for a period of 1 year w.e.f. 01-03-1993 i.e. upto 28-02-1994 | Ex.M15 16-5-1995 | Notice inviting tenders from among the short listed parties for award of contract for upkeep maintenance work of IAL premises at 3 locations |
| Ex.M8 10-2-1993 | Letter awarding contract of upkeep maintenance work of IA premises at Airport to M/s Sudarson for a period of 1 year w.e.f. 01-03-1993 i.e. 28-02-1994 | Ex.M16 18-5-1995 | Letter from M/s M.S. Sudarson, Civil & Maintenance Contractor, Madras-11 requesting for issuance of tender documents in response to the above notice inviting tenders. |
| Ex.M9 30-3-1993 | Letter from MPS, IAL to all Departmental/Sectional Heads of IAL, Chennai regarding the award of fresh contract M/s M.S Sudarson for upkeep maintenance work in respect of Booking Offices and Airport premises and instructions thereon | Ex.M17 18-5-1995 | Letter from M/s Gokul Enterprises, Labour & Transport Contractor, Madras-600013 requesting for issuance of tender documents in response to the above notice inviting tenders |
| Ex.M10 11-2-1994 | Office copy of the Note suggesting to invite fresh tender for award of contract for upkeep and maintenance of Indian Airlines Premises - Airlines House, Airport, Booking Offices and Housing Colony | Ex.M18 18-05-1995 | Letter from M/s. T. Girija, Contractor, Madras 600055 requesting for issuance of tender documents in response to the above notice inviting tenders alongwith authorization letter in favour of their personnel to receive the tender document. |
| Ex.M11 11-5-1994 | Office Note on approval for publishing advertisement in leading newspapers inviting tenders for upkeep maintenance of premises of IAL for 3 locations | Ex.M19 30-05-1995 | Submission of duly filled in tender schedule by M/s. Sudarson for the above work for IA premises at 3 locations |
| Ex.M12 22-7-1994 | Office note on approval for financial sanction for Rs. 16,000/- for releasing press advertisement for inviting tenders for upkeep maintenance | Ex.M20 31-05-1995 | Submission of duly filled in tender schedule by M/s. M.S. Sudarson for the above work for IA premises at 3 locations |
| | | Ex.M21 31-05-1995 | Submission of duly filled in tender schedule by M/s. Santham, |

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| | Contractors, PWD (Registered) for the above work for IA premises at 3 locations | Ex. M32 8-9-1995 | Letter No. IA Ltd/05/95-96 of undertaking from M/s. T. Girija after discussion with the Committee |
| Ex. M22 31-05-1995 | Submission of duly filled in tender schedule by M/s. Gokul Enterprises for the above work for IA premises (Booking Offices and IA Housing Colony) | Ex. M33 8-9-1995 | Letter of undertaking from M/s. Santham after discussion with the Committee |
| Ex. M23 31-05-1995 | Statement of the Tender Committee on opening of tenders (price bids) for upkeep maintenance work of Booking Offices | Ex. M34 8-9-1995 | Letter of undertaking from M/s. M.S. Sudarson after discussion with the committee |
| Ex. M24 31-05-1995 | Statement of the Tender Committee on opening of tenders (price bids) for upkeep maintenance work of IA Housing Colony | Ex. M35 11-10-1995 | Letter No. MAA:IR:UKM:2228 awarding the contract of Upkeep and Maintenance of IAL Booking Offices at Chennai to M/s. T. Girija for period of 6 months on a trial basis with effect from 16-10-1995 i.e. upto 15-04-1996 which can be confirmed as a regular contract upon satisfactory performance for a further period of 30 months |
| Ex. M25 31-05-1995 | Statement of the Tender Committee on opening of tenders (price bids) for upkeep maintenance work of Airlines House, Service Complex, Airport premises | Ex. M36 11-10-1995 | Letter No. MAA:IR:UKM:2225 awarding the contract of Upkeep and Maintenance of IAL Housing Colony to M/s. Santham for period of 6 months on a trial basis with effect from 16-10-1995 i.e. upto 15-04-1996 which can be confirmed as a regular contract upon satisfactory performance for a further period of 30 months |
| Ex. M26 14-06-1995 | Statement showing details of EMD paid by the tenderers together copies of Demand Drafts | | |
| Ex. M27 07-07-1995 | Letter No. :MAA:IR: dated 07-07-1995 from GM (Personnel), IAL, Chennai addressed to the above 4 tenderers who had submitted their price bids for the above work, requesting the parties to indicate the no. of persons they would be engaging for the work. Last date for receipt of reply was 14-07-1995 | Ex. M37 11-10-1995 | Letter No. MAA:IR:UKM:2225 awarding the contract of Upkeep and Maintenance of Airlines House, Service Complex and IA office at Airport premises, Chennai to M/s. M.S. Sudarson for period of 6 months on a trial basis with effect from 16-10-1995 i.e. upto 15-04-1996 which can be confirmed as a regular contract upon satisfactory performance for a further period of 30 months |
| Ex. M28 10-07-1995 | Reply received from M/s. Gokul Enterprises in response to the above letter | | |
| Ex. M29 14-7-1995 | Reply No. MS/1468/V11/95 from M/s M.S. Sudarson in response to the above letter | Ex. M38 20-5-1996 | Note approving confirmation of above contracts as regular contracts for 2½ years w.e.f. 16-04-1996 i.e. upto 15-10-1996 |
| Ex. M30 14-7-1995 | Reply from M/s Santham in response to the above letter | | |
| Ex. M31 3-9-1995 | Committee Report on award of Upkeep and Maintenance contract of IA premises at 3 locations together with the undertaking given by M/s. T. Girija and Santham | Ex. M39 25-7-1996 | Letter No. MAA:IR:UKM: to M/s. Sudarson, confirming the contract of Upkeep and Maintenance of Airlines House, IA Offices at Airport premises, etc. for 2½ years w.e.f. 16-04-1996 i.e. upto 15-10-1998 |

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| Ex. M40 26-7-1996 | Letter No. MAA:IR:UKM:1882 to M/s. T. Girja, confirming the contract of Upkeep and Maintenance of IA Booking Offices for 2½ years w.e.f. 16-04-1996 i.e. upto 15-10-1998 | | the condition that the existing contractual workers of M/s. Santham to be retained for carrying out the work. |
| Ex. M41 26-7-1996 | Letter No MAA:IR:UKM:1883 to M/s. Santham, confirming the contract of Upkeep and Maintenance of IA Housing Colony for 2½ years w.e.f. 16-04-1996 i.e. upto 15-10-1998 | Ex. M49 6-3-2000 | Letter from M/s. T. Girija stating that they are not interested to take up contract of Upkeep and Maintenance of IA Housing Colony only for 2 months. |
| Ex. M42 5-11-1998 | Letter No: MAA:IR:UKM:157 to M/s. Sudarson intimating continuation of the contract till further orders | Ex. M50 12-6-2000 | Letter from Indian Airlines Ltd. to M/s. T. Girija, Contractor, awarding the sweeping and Maintenance contract of IA Housing Colony for a period of 2 years w.e.f. 01-07-2000 and also to retain the existing set of workers for the same. |
| Ex. M43 5-11-1998 | Letter No MAA:IR:UKM:158 to M/s. Santham Intimating continuation of the contract till further orders | Ex. M51 30-11-2000 | Letter to M/s. Sudarson determining his contract viz. Upkeep maintenance of Airlines House, Service Complex, IA Offices at Airport, with immediate effect as they have not complied with the instructions given earlier. |
| Ex. M44 5-11-1998 | Letter No: MAA:IR:UKM:159 to M/s. T. Girija intimating continuation of the contract till further orders | | |
| Ex. M45 9-4-1999 | Interim Order passed by Hon'ble High Court of Madras in WP No. 6030/1999 filed the workers of the Contractor for Upkeep and Maintenance of IA Housing Colony (Contractor-M/s. Santham). (Interim Order directs to maintain status-quo and the WP is pending) | Ex. M52 1-12-2000 | Letter No. : MAA:IR:UKM from GM (Personnel), IAL addressed to the contractor M/s. T. Girija entrusting the maintenance work of Airlines House, Service Complex and IA Offices at Airport with the same contractual workers. |
| Ex. M46 30-10-1999 | Letter from Contractor M/s. Santham requesting for termination of the contract of Upkeep and Maintenance of IA Housing Colony and for relieving them from the contract w.e.f. 31-10-1999 | Ex. M53 21-6-2001 | Letter No.: MAA:IR:UKM:765 dated 21-06-2001 from IAL addressed to the contractor from M/s. T. Girija on deficiency of service by their workers. |
| Ex. M47 1-11-1999 | Letter No. MAA:UKM:3222 from IAL to M/s. Santham determining the contract for Upkeep and Maintenance of IA Housing Colony as to close of work on 31-10-1999 | Ex. M54 31-12-2002 (series) | Letters No. :MAA:IR:UKM: 38, No. : MAA:IR:UKM:39 and No. : MAA:IR:UKM:40 addressed to T. Girija on continuance of contract for upkeep and maintenance of IAL premises at 3 location still 30-06-2003. |
| Ex. M48 1-11-1999 | Letter No. MAA:UKM:3223 from GM (Personnel), IAL addressed to the contractor M/s. T. Girija asking them to take over the Upkeep and Maintenance of IA Housing Colony on trial basis on | Ex. M55 12-8-2003 (series) | Letters No. : MAA:IR:UKM: from IAL to M/s. T. Girija extending the contract for upkeep and maintenance of IAL premises at 3 locations for a further period of 1 year w.e.f. 01-07-2003 |
| | | Ex. M56 10-6-2004 (series) | Letters No. MAA:IR:UKM: 3033, No. K. MAA:IR:UKM 3034 and |

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| | No. MAA:IR:UKM3035 from IAL to M/s. T. Girija extending the contract for upkeep maintenance of IAL premises at 3 locations for a further period of 6 months w.e.f. 31-09-2004. | | M/s. M.S. Sudarson in respect of the above contract. |
| Ex. M57 28-9-2004 (series) | Letters No. MAA:IR:UKM:4612, No. MAA:IR:UKM:4613 and No. :MAA:IR:UKM:4614 from IAL to M/s. T. Girija extending the contract for upkeep maintenance of IAL premises at 3 locations for a further period of 6 months w.e.f. 01-10-2004. | Ex. M66 2-9-1996 | Letter from RLC, Chennai to M/s. Sudarson granting licence for the above contract together with Licence No. L-1/43/96 dated 27-08-1996. |
| Ex. M58 21-4-2005 (Series) | Letters No. : MAA:IR: UKM: MBO: 2581, No. :MAA: IR: UKM: MBO: 2582 and No.; MAA: IR: UKM: IAHC: 2583 from IAL to M/s. T. Girija extending the contract for upkeep maintenance of IAL premises at 3 locations for a further period of 1 year w.e.f. 01-04-2005. | Ex. M67 18-8-1997 | Letter from M/s. Sudarson, Contractor intimating suspension w.e.f. 18-08-1997 of his worker Mr. Vaidyanathan for irregular attendance. |
| Ex. M59 11-3-1993 | Bank Guarantee from State Bank of India for Rs. 10,940. | Ex. M68 30-8-1997 | Endorsement by user departments on the performance of workers of the contractor M/s. Sudarson (Aug. '97) month-endorsement enclosed as sample. |
| Ex. M60 10-3-1996 | Letter from M/s. Sudarson to Indian Airlines intimating removal of 2 persons from 07-03-1996 and replacing them with another 2 persons. | Ex. M69 15-10-1997 | Letter from ALC(C), Chennai addressed to M/s. Sudarson renewing the labour licence No. L1/43/96 upto 26-08-1998 for 33 workers. |
| Ex. M61 Mar-June (series) 1996 | Copy of LIC policies favouring the workmen of M/s. Sudarson Contractors, Sembiam, Madras. | Ex. M70 15-01-1998 | Letter from Indian Airlines addressed to M/s. Sudarson that the work carried out by him was not satisfactory and that to execute the same to the best satisfaction. |
| Ex. M62 6-5-1996 | Letter from M/s. Sudarson to Indian Airlines submitting a Bank Guarantee towards Security Deposit. | Ex. M71 02-04-1998 (series) | Letter from Canara Bank enclosing therewith a copy of the Bank Guarantee No. 3/98 dated 02-04-1998 for Rs. 9521 issued on behalf of M/s. Sudarson. |
| Ex. M63 22-5-1996 | Letter from M/s. RLC (C), Chennai addressed to M/s. Sudarson intimating the revision of rates of DA. | Ex. M 72 21-08-1998 | Letter from ALC(C), Chennai addressed to M/s. Sudarson renewing the labour license No. L1/43/96 upto 26-08-1999 for 33 workers. |
| Ex. M64 3-8-1996 | PF Code allotment letter from office of Regional Commissioner Employees' Provident Funds allotting PF Code No. TN/36163 to M/s. Sudarson. | Ex. M 73 07-09-1998 | Letter from Indian Airlines addressed to M/s. Sudarson that the work carried out by him was not satisfactory and that to execute the same to the best satisfaction. |
| Ex. M65 31-8-1996 | Bank Guarantee from M/s. Canara Bank, Egmore Chennai-8 for an amount of Rs. 9300 executed by | Ex. M 74 10-06-1999 (series) | Letter from M/s. M.S. Sudarson enclosing the Bank Guarantee for Rs. 1,25,0001 from Canara Bank, Egmore, Chennai-8 together with enclosures. |

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| Ex. M75 27-10-1999 | Letter from Indian Airlines addressed to M/s. M.S. Sudarson that the work carried out by him was not satisfactory and that to execute the same to the best satisfaction. | Ex. M87 04-09-2001 | Letter No. MAA:IR:UKM:1955 on deficiency of service by their workers. |
| Ex. M76 24-11-2003 | Letter No. :CW/U/03/356 from Petitioner Union No. II (Chennai Airport Contract Workers Union) to Regional Manager, IAL, Chennai in the matter of default in remittance of PF contribution by the M/s. M. S. Sudarson, Contractor. | Ex. M88 08-06-2002 | Letter No. CWU/02/162/163 dated 08-06-2002 from Petitioner Union II (Chennai Airport Contract Workers Union) addressed to M/s. T. Girija, Contractor, Chennai-55 in the matter of uniform issued to the contractual workers. |
| Ex. M77 07-03-1993 | Bank Guarantee for Rs 9000 from Canara Bank. | Ex. M89 09-07-2002 | Letter No. M/M/W/CL-50 from Sr. Divisional Mechanical Engineer, Southern Railway, Chennai- 3 addressed to GM, IAL, Chennai seeking report on performance in connection with finalization of contract for intensive-cleaning of coaches in their organization |
| Ex. M78 04-12-1996 | ESI Code Allotment letter from Regional Director, ESI Corporation, Chennai-34 allotting ESI Code No. 51-55235-101 to M/s. T. Girija. | EX.M90 13-07-2003 | Letter No. CW/U/03/189-90 from Petitioner Union No. II (Chennai Airport Contract Workers Union) to M/s. T. Girija, Contractor in the matter of Annual Balance Sheet of PF Account in respect of workers employed as contract workers under Indian Airlines. |
| Ex. M79 July 1997 to Oct 2004 | Extracts of the Inspection Register of M/s. T. Girija duly inspected by ESI authorities. | EX.M91 05-09-2003 | Letter No. CW/U/03/215-17 from Petitioner Union No. II (Chennai Airport Contract Workers Union) to M/s. T. Contractor in the matter of Annual Balance Sheet of PF Account in respect of workers employed as contract workers under Indian Airlines. |
| Ex. M80 06-03-1997 | PF Code allotment letter from Office of Regional Commissioner Employees' Provident Funds allotting PF Code No. TN/36576 to M/s. T. Girija. | Ex. M92 06-11-2003 | Letter No. M46(118)/2003-05/1 from ALC (C), Chennai addressed to the contractor M/s. T. Girija enclosing the Contract Labour License. |
| Ex. M81 21-06-2000 | Copy of Bank Guarantee from M/s. Girija for Rs. 38,000 in favour of Indian Airlines Ltd. for a period of 2 years w.e.f. 17-07-2000. | Ex. M93 24-11-2003 | Letter No. CW/U/03/352-55 from Petitioner Union No. II (Chennai Airport Contract Workers Union) to Regional Provident Fund Commissioner, Royapettah, Chennai-14 on non-issuance of PF account in respect of workers employed by M/s. T. Girija as contract workers under Indian Airlines. |
| Ex. M82 July 2000 | Copies of ESI ID Cards pertaining to the workmen of M/s. T. Girija. | Ex. M94 02-02-1996 | PF Code allotment letter from office of Regional Commissioner Employees' Provident Funds allotting PF Code No. TN/MS/ |
| Ex. M83 31-07-2000 | Copy of Declaration Forms (Form-3) submitted by the contractor M/s. T. Girija to ESI authorities in respect of their workmen. | | |
| Ex. M84 01-06-2001 | Endorsement by user departments on the performance of workers of the contractor M/s. T. Girija - (May 2001) month endorsement enclosed as sample. | | |
| Ex. M85 21-06-2001 | Letter No. MAA:IR:UKM:735 dated 21-06-2001 on deficiency of service by their workers. | | |
| Ex. M86 13-07-2001 | Letter No. MAA:IR:UKM:952 advising the contractor to visit the premises thrice a week. | | |

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| | 35749 to M/s. Santham Contractors, Madras-27. | Ex.M102 25-01-1996 | Letter to shortlisted parties to purchase tender documents on payment of Rs. 100 (with enclosure) (1. R. Vijayakumar 2. M/s. T. Girija 3. M/s. Sri Ranga Electricals). |
| Ex.M95 17-06-1996 | ESI Code Allotment letter from Regional Director, ESI Corporation, Chennai-34 allotting ESI Code No. 51-55215-101 to M/s. Santham Contractors, Madras-27. | Ex.M 103 06-2-1996 | Tender submitted by M/s. Sri Ranga Electricals. |
| Ex.M96 06-01-1997 | Letter No. 51-P-11-22-1-96/IIPN from ESI Corporation addressed to M/s. Santham Contractors intimating the latter on enhancement of wage ceiling from Rs. 3000 to Rs. 6500 for ESI coverage. | 06-2-1996 | Tender submitted by M/s T. Girija. |
| | | Ex.M104 07-2-1996 | Tender Opening Statement. |
| | | 07-2-1996 | Item-wise comparative statement. |
| | | Ex.M105 29-3-1996 | Letter No. SRFD:F&B: PLUMBING: 631'O from Finance Department to Deputy Manager (Civil Engineering) conveying Regional Director's approval for award of above work to M/s. Sri Ranga Electricals for 7 sets of Plumber/Helper and a Plumbing Supervisor. |
| Ex.M97 November 97 | Letter No. CO. ORD/IN/Publicity/ Regl./97 from Regional Provident Fund Commissioner, Chennai addressed to M/s Santham Contractors, Chennai 27 intimating the enhancement in rate of contribution from 10% to 12% w.e.f. 22-9-1997 and advising them to remit contributions according -w.e.f.22-9-1997. | Ex.M 106 01-4-1996 | Letter No. MAA: CW:133 awarding plumbing maintenance contract to M/s. Sri Ranga Electricals for one year w.e.f. 1-4-1996 alongwith terms and conditions i.e. upto 31-3-1997. |
| Ex.M98 15-2-1995 | Office note No. MAA: CW: 14.12:408 from Manager (CE) , IAL, Chennai on pre-qualification notice inviting applications from reputed contractors for pre-qualification and enlisting in carrying out plumbing maintenance work, carpentry maintenance work, etc. | Ex.M 107 30-05-1997 | Letter No. MAA: CW:143 extending the Plumbing Maintenance contract to Mis Sri Ranga Electricals for two years w.e.f. 01-04-1997 for Rs. 38566 per month on the same terms and conditions i.e. upto 31-03-1999. |
| Ex.M99 20-2-1995 | Letter No. MAA:IR from GM(Personnel), IA, SR, Chennai to Sr. Manager (Public Relations) conveying approval for release of advertisement. | Ex.M 108 15-02-1999 | Letter from M/s. Sri Ranga Electricals expressing their willingness to continue the contract. |
| Ex.M100 26-2-1995 | Release of advt. in Indian Express and Dinamani Applications were inviting for pre-qualification and enlistment for award of contract for upkeep maintenance, carpentry maintenance, plumbing maintenance of IAL premises. | Ex.M 109 19-05-1999 | Office Note No. MAA: CW: Plumibing:1215 on extension of contract for the period of one year from 01-04-1999 to 31-3-2000. |
| Ex.M101 09-08-1995 | Office Note No. MAA:IR: CW of the Committee Members on security of applications received for pre-qualification and enlistment of 3 parties for plumbing maintenance work. | Ex.M 110 07-06-1999 | Letter No. MAA: CW: 1261 extending the contract of plumbing maintenance in IAL premises for 1 year w.e.f. 0-04-1999 i.e. upto 31-03-2000 (Rate/per month - Rs 46,131 Other terms and conditions remain same). |

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| Ex. M111 07-03-2000 | Office Note No. MAA: CW: 15: 20: DRR: 5: 184 on extension of contract for the period of two years from 01-04-2000. | Ex. M120 03-07-2003 | Draft of tender notice addressed to 19 parties inviting tenders from enlisted contractors for plumbing maintenance of IA premises together with the list of parties. |
| Ex. M112 07-04-2000 | Letter No MAA: CW: PMC: 276 extending the contract by 1 year w.e.f. 01-04-2000 for Rs. 46,131 per month i.e. upto 31-03-2001. | Ex. M121 23-07-2003 | Copy of Interim Order dated 17-07-2003 in WMP No. 24844 of 2003 in WP No. 19883/2003 filed by Chennai Airport Contract Workers Union (Interim Order directing Indian Airlines to maintain status-quo until further orders). |
| Ex. M113 15-02-2000 | Office Note No. MAA: CW: PMC 174 on extension of contract for another 2 years with effect from 01-04-2001 to 31-03-2001. | Ex. M122 23-07-2003 | Letter No. MAA: PER: 2858 from Personnel Department, IAL Chennai forwarding a copy of the above Interim Order to Sr. Manager (Civil Engineering), IAL, Hyderabad to ensure compliance of the directions of the Court. |
| Ex. M114 04-05-2001 | Letter No. MAACW1974PMC445 extending the contract of plumbing maintenance in IAL premises for 2 years w.e.f. 01-04-2001 i.e. upto 31-03-2003. | Ex. M123 09-08-1995 | Report of Committee on shortlisting of parties for carpentry maintenance in IA premises at Madras. |
| Ex. M115 12-04-2003 | Office Note No. MAA: CW: AMC: PL: CAR: 156 bearing Regional Director's approval for extension of contract for the further period of 4 months w.e.f. 01-04-2003 i.e. upto 31-07-2003. | Ex. M124 06-02-1996 | Copy of the tender submitted by M/s Santham quoting their rates for carpentry maintenance of IA premises at Madras together with EMD receipt. |
| Ex. M116 06-06-2003 | Letter No. MAA: CW: PMC: 367 extending the contract upto 31-07-2003. | Ex. M125 06-02-1996 | Copy of the tender submitted by M/s T. Girija quoting their rates for carpentry maintenance of IA premises at Madras. |
| Ex. M117 14-07-1999 | Press advertisement in "The Hindu" inviting applications from reputed parties for enlisting of contractors for various works, including plumbing maintenance in Indian Airlines, Southern Region issued by Sr. Manager (Civil Engg.), IAL, Southern Region. | Ex. M126 07-02-1996 | Tender Opening Statement. |
| Ex. M118 | Extracts from the register showing the details of applications submitted by various parties in response to the above advertisement (Page No. 2/3 to Page No. 246/247). Extracts from the register showing the details of contractors who have been enlisted for carrying water supply and sanitary works (Page No. 300/301 to Page No. 304/305). | Ex. M127 30-03-1996 | Copy of the office note on award of contract of carpentry maintenance of IA premises at Madras to the lowest tenderer M/s T Girija together with itemwise comparative statement. |
| Ex. M119 | Copy of sample letters addressed to eligible applicants regarding their enlistment in the register of approved contractors of IAL for certain works. | Ex. M128 23-02-1996 | Letter No. SRFD: F&B: Carpentry: 6300 from Finance Department to Dy. Manager (Civil Engineering) conveying Regional Director's approval for award of above work to M/s T. Girija. |
| | | Ex. M129 01-04-1996 | Letter No. MAA: CW: 134 awarding the contract of carpentry maintenance of IA premises in Madras to M/s T. Girija with |

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| | effect from 01-04-1996 for a period of one year for a monthly consideration of Rs. 10,300 (2 pages). | Ex M139 09-12-1999 | Letter from contractor M/s. P. Krishnan seeking permission to remit ESI contribution for his workers under IAL (Principal Employers) code. |
| Ex.M130 11-08-1997 | Copy of office note MAA:CW:321 on re-tendering of carpentry maintenance of IA premises in Chennai. | Ex.M140 01-02-2000 | Copy of pay in slip for contribution of ESI in principal employer's code (51-3673). |
| Ex.M131 11-10-1997 | Copy of Notice Inviting Tender MAA:CW:Carpentry maintenance/509 addressed to 8 parties. | Ex.M141 09-08-2000 | Letter from contract addressed to IAL submitting ESI declaration forms in respect of his workers for onward despatch to ESI office. |
| Ex.M132 31-10-1997 | Copy of tender submitted by M/s P Krishnan, Chennai-59 together with EMD receipt. | Ex.M142 11-08-2000 | Letter No. MAA:IR:21:5630 from IAL to ESI forwarding ESI declaration forms submitted by contractor M/s. P. Krishnan in respect of his workers. |
| Ex.M133 05-12-1997 | Copy of Office Note No. MAA:CW:21 :Carpentry maintenance/658 on award of contract for carpentry maintenance of IA premises at Chennai to M/s P. Krishnan together with its enclosure. | Ex.M143 16-12-2000 | Copy of office note MAA:CW CARMNT 1154 on extension of the contract for a further period of two years on the same terms and conditions. |
| Ex.M134 12-01-1998 | Copy of letter no. MAA:CW:15-20:Carpentry maintenance:750 awarding the contract for carpentry maintenance to M/s P. Krishnan for a period of one year w.e.f. 15-01-1998 together terms and conditions. | Ex.M144 21-02-2001 | Letter No.MAA:CW:CARP: renewing the contract for a further period of two years w.e.f. 15-01-2001. |
| Ex.M135 15-09-1998 | Letter from Contractor M/s P. Krishnan requesting for payment of arrears for his workers arising out increase in Basic+DA of minimum wages witheffect from 01-04-1998. | Ex.M145 04-07-2003 | Draft of tender notice addressed to 48 parties inviting tender forms enlisted contracts for carpentry maintenance of I premises together with the list of parties. |
| Ex.M136 13-11-1999 | Request from contract for extension of contract for a further period of two years on the same terms and conditions. | Ex.M146 18-11-1990 | Press Advt. in Leading English and Tamil Dailies inviting tenders for award of contract for Electrical maintenance of various establishments of IA at Madras. |
| Ex.M137 14-01-1999 | Letter No. MMA:CW:CARP: 916 extending the contract for carpentry maintenance of IAL premises for a further period of two years w.e.f. 15-01-1999. | Ex.M147 05-12-1990 | Tender documents submitted by M/s. Kamatchi Amman Electricals, Madras in respect to the above Advt. |
| Ex.M138 04-06-1999 | Letter from ESI Corporation addressed to contractor M's. P. Krishnan advising him to remit ESI contribution in principal employer's code-contractors copy and principal Employer's copy . | Ex.M148 26-02-1990 | Office Note on approval for award of electrical maintenance of IA electrical Installations at Madras. |
| | | Ex.M149 02-03-1991 | Financial sanction for award of electrical maintenance contract to M/s. Kamatchi Amman Electricals conveyed by Finance Department. |
| | | Ex.M150 28-03-1991 | Letter to M/s. Kamatchi Amman Electricals awarding the contract for one year from 01-04-1991. |

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| Ex.M151 | 11-04-1991 | Copy of Licence bearing No. L-I/27, 191 dated 11-04-1991 Issued by ALC(c), Madras to M/s. Kamatchi Amman Electricals, Madras. | | | for a period of two years w.e.f. 01-02-1995. |
| Ex.M152 | 20-04-1992 | Extension of the contract awarded to M/s. Kamatchi Amman Electricals by two years w.e.f. 01-04-1992. | Ex.M164 | 15-02-1995 | Copy of Receipt on remittance of Rs. 25920/ by M/s. Kamatchi Amman Electricals towards security Deposit(Receipt No 70391). |
| Ex.M153 | 17-07-1994 | Press clipping from The Hindu dt. 17-07-1994 inviting application from contractors for prequalification and short listing of contractors for Electrical Maintenance of Indian Airlines Ltd. Establishments at Chennai. | Ex.M165 | 15-04-1995 | Copy of workmen's Compensation policy from New India Assurance Co.Ltd. for person engaged by M/s. Kamatchi Amman Electricals (Policy No. W.C. 4171240200059). |
| Ex.M154 | — | List of parties who had responded to the above advt. | Ex.M166 | 17-04-1995 | Copy of letter dt. 17-04-1995 from Store Department forwarding the original Bank Guarantee executed by Bank of Baroda in lieu of further Security Deposit. |
| Ex.M155 | 27-07-1994 | Application submitted by M/s. Kamatchi Amman Electricals in response to the above Advt. enclosing their credentials. | Ex.M167 | 19-04-1995 | Letter from M/s. Kamatchi Amman Electricals for refund of the amount deposited towards Security Deposit. |
| Ex.M156 | 12-09-1994 | Blank form of the Tender documents issued to the short-listed parties. | Ex.M168 | 25-02-1997 | Extension of contract by 3 months on same terms and conditions (i.e. upto 30-04-1997). |
| Ex.M157 | 20-09-1994 | Letter from Dy. Controller, Ground Support, Indian Airlines Ltd. Madras to Dy. Manager stores and purchase, IA, Madras forwarding 8 set of blank documents to be sent the eight shortlisted parties. | Ex.M169 | 01-05-1997 | Office Note for renewal of the contract on the existing terms for one more year w.e.f. 01-05-1997 (i.e. upto 30-04-1998). |
| Ex.M158 | 04-10-1994 | Office copy of Letter forwarding the Tender forms to the 8 shortlisted parties. | Ex.M170 | 10-05-1997 | Letter dt. 10-05-1997 extending the contract by 1 year from 01-05-1997 (i.e. 30-04-1998). |
| Ex.M159 | 26-10-1994 | Duly filled in Tender submitted by M/s. Kamatchi Amman Electricals | Ex.M171 | 07-04-1998 | Letter dt. 07-04-1998 extending the contract by 1 year from 01-05-1998 (i.e. 30-04-1999). |
| Ex.M160 | 16-12-1994 | Letter from M/s. Kamatchi Amman Electricals on their revised offer. | Ex.M172 | 20-03-1999 | Letter extending the contract by 3 months from 01-05-1999 (i.e. upto 31-07-1999). |
| Ex.M161 | 28-12-1994 | Office Note on award of contract for Maintenance of electrical installation of IA establishment including Quarters at Madras. | Ex.M173 | 05-10-1999 | Letter dt. 05-10-1999 Dy. General Manager (Ground Support) to General Manager (P) requesting him to approve the draft of the fresh tender to be floated through S & P Dept. |
| Ex.M162 | 03-01-1995 | Approval of R.D. (South) for awarding the above contract to M/s. Kamatchi Amman Electricals. | Ex.M174 | 15-10-1999 | Letter extending the contract by 3 months from 01-11-1999 (i.e. upto 01-02-2000). |
| Ex.M163 | 18-01-1995 | Award of contract for Maintenance of electrical installations of IA establishments (including House Colony) to M/s. Kamatchi Amman Electricals | Ex.M175 | 19-01-2000 | Letter from Dy.(GM.) to stores Dept. to renewal the contract which was expiring on 31-01-2000. |

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| Ex.M176 02-02-2000 | copy of Letter dt. 02-02-2000 extending the contract by six months w.e.f. 01-02-2000 (i.e. upto 31-07-2000). | Ex.M185 07-04-2002 | Tender submitted by M/s. M.K. Enterprises under their covering letter dt. 07-04-2002. |
| Ex.M177 23-07-2000 | Note from Ground Support Department to General Manager (Personal) to clarify whether to renew the contract or call for fresh tenders. | Ex.M186 07-04-2002 | Tender submitted by M/s. Kamatchi Amman Electricals, Chennai under their covering letter dt. 08-04-2002. |
| Ex.M178 16-08-2000 | Office Note for approval of extension of the contract awarded to M/s. Kamatchi Amman Electricals for a further period of one year (i.e. upto 31-07-2000). | Ex.M187 08-04-2002 | Tender submitted by M/s. Sri Ranga Electricals, Chennai-78 under their covering letter 08-04-2002. |
| Ex.M179 27-07-2001 | Award of maintenance of electrical installations of IA establishments at Chennai including Housing Colony & Booking office for a further period of one year i.e. from 01.08.2000 to 01-07-2001 together with the enclosures. | Ex.M188 08-04-2002 | Tender submitted by M/s. Radiant Engineers, Chennai-45 under their covering letter dated 08-04-2002. |
| Ex.M180 13-07-2001 | Office Note for extension of the contract of M/s. Kamatchi Amman Electricals. | Ex.M189 08-04-2002 | Tender submitted by M/s. Pearl Electrical Services, Chennai-49 under their covering letter dated 08-04-2002. |
| Ex.M181 18-09-2002 | Letter dt. 18-09-2001 extending the contract of M/s. Kamatchi Amman Electricals upto 31-12-2001. | Ex.M190 08-04-2002 | Formation of Committee to open the tenders received. |
| Ex.M182 13-02-2002 | Office Note from Ground Support Dept. for approval for inviting fresh tenders for award of contract by floating limited tenders (from 11 parties who were earlier short listed 2 years ago after paper advertisement) together with draft tender schedule. | Ex.M191 10-04-2002 | Letter from Stores Department forwarding the Demand Drafts submitted by the parties towards EMD |
| Ex.M183 14-03-2002 | Abstract of Tender form No. MST/01/CMB/215 dated 14-03-2002 sent to the short listed parties Last date for submission 08-04-2002. | Ex.M192 11-09-2002 | Copy of Labour Licence issued by ALC(C), Chennai to M/s. Kamatchi Amman Electricals with validity upto 07-07-2003. |
| Ex.M184 19-03-2002 | Letter to the parties to who tender forms were sent advising them to quote for each of item as mentioned in Annexure 'A', 'B', 'C' 'D' and 'E' separately i.e. rated to be quote separately for the following area. (a) Airlines House area, (b) Service Complex (c) Main Booking Office, (d) Airport Terminal Building, (e) Indian Airline Ltd House Colony. | Ex.M193 12-09-2002 | Letter dt. 12-09-2002 extending the contract of M/s. Kamatchi Amman Electricals upto 31-10-2002. |
| | | Ex.M194 05-11-2002 | Letter dt. 05-11-2002 from M/s. Kamatchi Amman Electricals to IAL enclosing a copy of ESI Code allotment letter (ESI Code No. 51-55561-101). |
| | | Ex.M195 05-11-2002 | Office Note on award of contract for maintenance of electrical installation of IAL establishments at (a) Airlines, (b) Service Complex, (c) Main Booking Office, (d) Airport, (e) IA Housing Colony. |
| | | Ex.M196 22-11-2002 | Letter dt. 22-11-2002 from GM (Finance) to Dy. General Manager GS conveying the Approval of financial sanction for the award of contract for the above work for the five locations. |
| | | Ex.M197 27-11-2002 | Purchase Order No. MST/2002/CMS/1536 dt 27-11-2002 awarding |

| | | | | |
|--------------------|--|--------------------|--|---|
| | contract to M/s. Kamatchi Amman Electricals for Airlines House Motor Transport Section Complex and offices of Export Cargo Complex for a period of one year from 01-12-2002 to 30-11-2003. | | | premises at Domestic and International Terminal Building) by one year i.e. upto 30-11-2004. |
| Ex.M198 28-11-2002 | Purchase Order No. MST/2002/CMS/11545 awarding contract to M/s. Kamatchi Amman Electricals for the IAL premise at Domestic & International Terminal Building for a period of one year from 01-12-2002 to 30-11-2003. | Ex.M206 03-01-2004 | | Letter No.MST/03/CMS/ extending the contract of M/s. Kamatchi Amman Electricals (for entire service complex area) by one year i.e. upto 30-11-2004. |
| Ex.M199 28-11-2002 | Purchase Order No. MST/2002/CMS/1543 awarding contract to M/s. Kamatchi Amman Electricals for the entire service Complex area for a period of one year from 01-12-2002 to 30-11-2003. | Ex.M207 03-01-2004 | | Letter No. MST/03/CMS/2233 extending the contract of M/s. Kamatchi Amman Electricals (Main Booking Office Area) by one year i.e. upto 30-11-2004. |
| Ex.M200 28-11-2002 | Purchase Order No. MST/2002/CMS/1544 awarding contract to M/s. Kamatchi Amman Electricals for IA main Booking Office area for a period of one year from 01-12-2002 to 30-11-2003. | Ex.M208 03-01-2004 | | Letter No. MST/03/CMS/2234 extending the contract of M/s. Sri Ranga Electricals (for IAL Housing Colony) by one year i.e. upto 30-11-2004. |
| Ex.M201 28-11-2002 | Purchase Order No. MST /2002/CMS/1546 awarding contract to M/s. Ranga Electricals for the area IA Housing Colony for a period of one year from 01-12-2002 to 30-11-2003. | Ex.M209 26-10-2004 | | Office Note from Ground Support Department for extension of the above contracts for a further period of one year effective 01-12-2004. |
| Ex.M202 11-11-2003 | Office Note on extension of the above five contracts for a further period two years from 01-12-2003. | Ex.M210 04-11-2004 | | Finance sanction conveyed by RD (South) for extension of the above contracts for one year from 01-12-2004. |
| Ex.M203 16-12-2003 | Letter from General Manager (Finance) conveying the Finance sanction for the above five contracts as approved by RD (South). | Ex.M211 30-12-2004 | | Extension of validity of contract upto 30-11-2005 to M/s. Kamatchi Amman Electricals (Airlines House Complex, Motor Service Complex and Offices at Export Cargo Complex). |
| Ex.M204 03-01-2004 | Letter No. MST/03/CMS/2230 extending contract of M/s. Kamatchi Amman Electricals (electrical maintenance of Airlines House, Motor Transport Complex and offices at Export Cargo Complex) upto 30-11-2004. | Ex.M212 30-12-2004 | | Extension of validity of contract upto 30-11-2005 to M/s. Kamatchi Amman Electricals (IA Offices at Domestic Terminal Building and International Terminal Buildings). |
| Ex.M205 03-01-2004 | Letter No. MST/03/CMS/2232 extending the contract of M/s. Kamatchi Amman Electricals (electrical maintenance of IAL | Ex.M213 30-12-2004 | | Extension of validity of contract upto 30-11-2005 to M/s. Kamatchi Amman Electricals (Entire Service Complex Area). |
| | | Ex.M214 30-12-2004 | | Extension of validity of contract upto 30-11-2005 to M/s. Kamatchi Amman Electricals (Main Booking Office Area). |
| | | Ex.M215 30-12-2004 | | Extension of validity of contract upto 30-11-2005 to M/s. Sri Ranga Electricals (IA Housing Colony) |

नई दिल्ली, 31 अगस्त, 2009

का.आ. 2718.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में बी. सी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 58/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-8-2009 को प्राप्त हुआ था।

[सं. एल-20012/129/1996-आई.आर.(सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 31st August, 2009

S.O. 2718.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 58/97) of the Central Government Industrial Tribunal/Labour Court, No. 1, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workman, which was received by the Central Government on 30-6-2009.

[No. L-20012/129/1996-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1. DHANBAD

In the matter of a reference U/S.10 (1) (d) (2A) of the I.D. Act.

REFERENCE NO. 58 OF 1997

PARTIES:

Employers in relation to the management of Basudeopur Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen

Present : Shri H. M. Singh, Presiding Officer

APPEARANCES

For the Employers : Shri D. K. Verma, Advocate

For the Workman : Shri D. Mukherjee, Advocate

State : Jharkhand

Industry : Coal.

Dated, the 25th August, 2009

AWARD

By Order No. L -20012/129/96-IR (C-1) dated 24/25-2-97 the Central Government in the Ministry of

Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

“Whether the demand of the workman, Sh. Bhola Singh regarding reinstatement in the employment as Overman in Basudeopur Colliery and full wages against the work done by him during 6-5-1992 to 17-5-1993 is justified? If so, to what relief is the workman entitled?”

2. The written statement has been filed by the concerned workman stating that he had completed his Overmanship examination from Bhaga Mining Institute and accordingly he was sent for vocational training of Basudeopur Colliery of M/s. B.C.C.L. from 23-3-91 to 6-5-91. The aforesaid training was imparted to the concerned workman without any pay as per direction of the Koyla Bhawan of M/s. B.C.C.L. under letter No. BCCL/GM/HRD/F-66/94/59 dated 21-3-91. He was further allowed to under go a Post Diploma Training (PDPT) for the subsequent period i.e. 7-5-91 to 5-5-92 and for that the management of M/s. BCCL had paid the concerned workman regular stipend for the period 7-5-91 to 5-5-92. After completion of two years training period successfully and to the satisfaction of the management, the management of Basudeopur Colliery being satisfied with the performance of the workman, allowed him to perform regular and permanent duty of an Overman against regular and permanent vacancy from 6-5-92 and since then he had been working as permanent Overman against permanent vacancy to the satisfaction of the management. The concerned workman had been working as Overman and was maintaining all the requisite statutory records and documents as per Mines Act, Rules and Regulations. The concerned workman had been working continuously as overman under the direct control and supervision of the management and he had been rendering services and producing goods for the benefit of the colliery management. He had been working as a permanent workman as per direction and knowledge of the competent person and the concerned workman had put in more than 316 days attendance in the calendar year from 6-5-92 to 17-5-93. But unfortunately the management did not offer him his regular wages of Overman for the period 6-5-92 to 17-5-93 and as soon as the concerned workman started demanding his regular wages the management stopped him from service w.e.f 17-5-93 without assigning any reason and without following the mandatory provisions of law. The concerned workman represented before the management several times against the illegal and arbitrary termination of service by stopping the concerned workman from service but without any effect. Thereafter the concerned workman

raised the dispute before the L.E.C. (C), Katrasgarh and in pursuance of that an enquiry was conducted by the Labour Enforcement Officer, Katrasgarh and a report was submitted by the L.E.O to the effect that the concerned workman had been rendering permanent service and had put in more than 240 days attendance in a calendar year. In spite of the aforesaid fact the anti-labour management did not take any cognizance and so the concerned workman raised as industrial dispute before the A.L.C (C), Dhanbad but the same ended in failure due to the adamant attitude of the management. Thereafter the appropriate Government referred this dispute to this Hon'ble Tribunal for adjudication.

It has been prayed before this Tribunal to answer the reference in favour of the workman by directing the management to reinstate the concerned workman with full back wages and other attendant benefits.

3. Written Statement has been filed by the management stating that the entire demand as raised by Bhola Singh is misconceived, misconstrued and ill motivated. The whole exercise is an example of a glaring litigation through which a litigant non-workman, namely, Bhola Singh has tried to procure a job for himself from the management of BCCL on a framed and cooked up dispute. There is absolutely no employer-employee relationship between the management of Basudeopur Colliery and the so called workman, Bhola Singh, and, therefore, no provisions of the I.D. Act, 1947 are attracted, and hence the present reference is bad and not maintainable. Since Bhola Singh had no employment in the colliery, therefore, no retrenchment did ever take place, thus his reinstatement is simply irrelevant and ill motivated. Similarly Bhola Singh's claim for the wages for the period of work done i.e. from 6-5-92 to 17-5-93 is entirely a cooked up one and has no truth about it, the version of Bhola Singh renders the whole references void. It has been submitted that Bhola Singh is a son of an ex-employee of Katras Area No. IV, Adalat Singh who is living with his father near Basudeopur Colliery premises and since he is a man of rangdar type, he has been trying to obtain a job in the colliery by employing all sorts of methods, fair and foul with the aid of Government officials. It has been stated that on the recommendations of the Regional Central Apprenticeship Adviser (RCAA), for one year practical training as PDPT (Mining), the BCCL management had agreed to offer him training facility in the underground mine of the Basudeopur Colliery vide Ref. No. GM/(HRD)/2.03/91/834 dated 22/26-4-91 on the following conditions :—

- (i) "The company will have no responsibility of providing you with any appointment whatsoever and your training period will be

automatically terminated after the expiry of the said one year of training.

- (ii) You will be paid stipend of the rate approved by the Government of India.
- (iii) During the period of training you shall abide by all the rules and regulations of the company as applicable.

If you are interested in accepting this offer, you may write to this office with all original certificate and two photocopies thereof alongwith five copies of pass port size photographs attested by the Principal of the Institute within 15 days."

In response to the above mentioned offer Bhola Singh who had already taken up and done vocational training in the Basudeopur Colliery from 23-3-91 to 6-5-91 free of cost, gave his letter of acceptance of all conditions on 6-5-91 and requested the GM(HRD) to accept his joining as PDPT training. Consequent to the acceptance of offer by Bhola Singh of the offer given to him through letter dated 22/26-4-91, the said Bhola Singh was allowed to take underground practical training in Basudeopur Colliery of Sijua Area for one year with immediate effect as the post Diploma Practical Training under the Apprentice Act, 1961 on the following conditions :—

- (a) "His training will automatically be terminated after the expiry of one year.
- (b) He shall have no claim for service in the company on the basis of the training.
- (c) He shall be paid stipend at the rate of rupees five hundred per month as per the Apprentice Rules.
- (d) He will be entitled to 12 days casual leave and 15 days sick leave within the entire period of one year apprenticeship as laid down under the Apprentice Act.
- (e) He will abide by the rules and regulations of the company as applicable to him.
- (f) He shall produce a copy of photograph duly attested by an officer of this department to the Agent/Manager of the colliery."

After the expiry of training period 7-5-91 to 5-5-92 as per above terms and condition of Apprenticeship Act. Bhola Singh's PDPT training was automatically terminated. Bhola Singh was never appointed in the company much less as Overman in Basudeopur Colliery. Bhola Singh was an apprentice from 7-5-91 to 5-5-92 and he was never a workman by dint of appointment in BCCL and

therefore, no provision of L.D. Act, 1947 is attracted in his case. The demand of Bhola Singh regarding his reinstatement in the employment, as Overman in Basdeopur Colliery is unjustified, illegal and violative of conditions of offer of PDPT training.

It has been prayed that Hon'ble Tribunal be graciously pleased to hold that the demand of the workman, Bhola Singh is not justified and legal.

4. Both the parties have filed their respective rejoinders admitting and denying the contents of some of the paragraphs of each other's written statement.

5. The workman has produced himself as WW-1 and has proved documents, Exts. W-1 to W-6. The management has produced MW-1 Subhas Chandra Ray, who has proved documents, Ext. M-1 to M-4.

6. Main argument advanced on behalf of the concerned workman is that he should be reinstated in the employment as Overman with full back wages against the work done by him. In this respect the concerned workman has stated in his cross-examination at page 2 that "For the first time I had been to Basdeopur Colliery. I came there only to receive training only as vocational or PDPT. The vocational training was for one year. The vocational training was on the recommendation of Kalyan Bhawan. The Welfare Department has recommended for PDPT training on the basis of letter written by Bhaga Mining Institute. He further stated that he did not accept the conditions mentioned in Ext. M-1 and he has accepted his signature on Ext. M-1. Again in cross-examination the above witness stated that he worked upto 5-5-92. After completion of apprenticeship I had received appointment letter from BCCL. I have filed that appointment letter. Again says-I have not gone through if that appointment has been filed by me. That appointment letter is not with me. I was putting my attendance in the attendance register at Basdeopur Colliery. Again says - I was not making any attendance there. He has stated at page 5 that I have not filed any statutory paper which is required to be filed for going into underground mine. This statement of the concerned workman shows that he has not done work with the management. Ext. M-1 is only offer of training facilities PDPT (Mining) by the management and in this letter which been offered, it has been specifically mentioned that after expiry of training period it will be automatically terminated. This only shows that he got no appointment letter for which he is entitled for employment. By Ext. W-3 to Ext. M-1 contains which has been mentioned by the concerned workman. Ext. M-2 is office order regarding training facilities as PDPT (Mining) in which it has been mentioned that training will automatically be terminated after expiry of one year. As per Ext. M-4 the

concerned workman completed PDPT (Mining) Training for one year from 6-5-91. Ext. W-1 is only the letter for giving training. Ext. W-2 is certificate for obtaining practical experience from 7-5-91 to 5-5-92. Ext. W-3 is also certificate from 6-5-92 to 17-5-93. Ext. W-4 is for Overman's certificate under Coal Mines Regulations, 1957. Ext. W-5 is out door ticket for treatment which has been given to the concerned workman. This does not show that he was an employee of the management. It only shows that medical facility has been provided to the concerned workman. In this respect the evidence of management's witness is very important. MW-1 stated in examination in chief that "Presently, I am posted as Dy. C.M.E at E.C.L. Headquarter. Between December, 1990 to 1995 I had worked in Basdeopur Colliery in different capacities. These who are diploma holders were being given the training of post Diploma Practical Training. The concerned person, Bhola Singh, had undergone the said training. He had undergone two types of trainings, one was vocational and another was PDPT. Vocational training is imparted without the benefit of stipend. After the completion of training the concerned person applied before the Director General of Mines Safety for grant of certificate for appearance in the examination conducted by DGMS. In the prescribed form of trainees itself the said certificate is being granted by the concerned colliery. Those who are allowed to go for PDPT training are given stipend also. The certificate granted by the colliery for practical training is submitted before the office of DGMS. If the concerned person would have submitted the said certificate in the office of DGMS the same must have been lying over there. The copy of such certificate is not being maintained by concerned colliery. The concerned workman was never appointed in the concerned colliery. The claim of the concerned workman that after the completion of his training he was being appointed by the concerned colliery is not correct. Further the claim of the concerned workman that the work was taken from him by the management of the concerned colliery and when he demanded his wages he was being sacked, is also not correct. Over this photo copy of training certificate my signature is there which I identify. (Document already marked Ext. W-1). Over the document Ext. W-2 also my signature is there which I identify. Over the document marked Ext. W-3 whether my signature is there or not I am not in a position to ascertain the same. The demand of the concerned workman that he was retrenched from his services despite having worked in the concerned colliery, is not correct and justified. Further the demand of the concerned workman for reinstatement with full back wages, is not justified."

7. In view of the discussions made above, I come to the conclusion that the demand of the workman, Sh. Bhola Singh regarding reinstatement in the employment as Overman in Basdeopur Colliery and full wages against the work done by him during 6-5-1992 to 17-5-1993 is not

justified and hence the concerned workman is not entitled to any relief.

This is my Award.

H. M. SINGH, Presiding Officer

नई दिल्ली, 3 सितम्बर, 2009

का.आ. 2719—औद्योगिक विवाद अधिनियम, 1947 (1947

का 14) की धारा 17 के अनुसमर्थन में, केन्द्रीय सरकार द फेडरल बैंक लिमिटेड के प्रबंधन के संबंध निम्नलिखित और उसके कार्यवाही के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवादों के बीच औद्योगिक अधिकारों की चीन के पंचाट (संदर्भ संख्या 257/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-9-2009 को प्राप्त हुआ था।

सं. एन-12012/126/2006-आई.आर.बी.ए.

अजय कुमार, डेस्क अधिकारी

New Delhi, the 3rd September, 2009

S.O. 2719.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 257/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Cochin as shown in the Annexure. In the Industrial Dispute between the management of The Federal Bank Ltd. and their workmen, received by the Central Government on 3-9-2009.

(No. 1-12012/126/2006-IR (B-D))

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT

INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,

ERNAKULAM

Present: Shri P. L. NORBERT, B.A., LL.B., Presiding Officer

(Friday the 14th August, 2009/23rd Shrawana, 1931)

I. D. 257/2006

Union:

The General Secretary,

Federal Bank Employees Union

Central Office, Aluva-683101

By. Adv. Shri Anil Kumar

Management:

The Chairman,

The Federal Bank Ltd.,

Head Office,

Aluva-683101

By. Adv. M/s. B.S. Krishnan Associates.

This case coming up for hearing on 12-8-2009, this Tribunal-cum-Labour Court on 4-9-2009 passed the following order:

AWARD

This is a reference made under Section 10 (d) (i) of Industrial Disputes Act. The reference is as follows:

“Whether the action of the management of the Federal Bank Ltd. with its headquarters at Alwaye, Kerala in dismissing from service of Shri. Sibi Varghese, Bankman (PF No.6949) of Thumpoly branch without notice vide order dated 12-8-2006 is justified? If not, what relief he is entitled to?”

2. The facts of the case in brief are as follows:— Shri Sibi Varghese was a bankman of Federal Bank, Thumpoly branch. He joined service on 8-9-1997. For having remained absent unauthorised during 2004 and 2005 disciplinary action was initiated, a domestic enquiry was conducted, he was found guilty and was dismissed from service. The disciplinary action is challenged by the workman through union.

3. According to the union the enquiry was conducted in violation of the principles of natural justice and fairness. No proper opportunity was given to the workman to prove his innocence. The findings of Enquiry Officer are perverse. The disciplinary authority did not take into consideration the past meritorious service of the workman. The workman has not violated any leave rules. He had submitted proper leave application with medical certificate whenever necessary. He has to look after a family consisting of wife, two children and aged and ailing father. He has no alternate employment. He prays for re-installment.

4. According to the management the workman remained absent on many days at different occasions in 2004 and 2005. He did not apply for leave on time. He used to submit applications and medical certificates after resuming duty. He remained absent sometimes exceeding 30 days continuously without intimation. His conduct is against the terms of settlement. In the past he had remained absent for a total number of 326 days and was treated as unauthorised absence. An enquiry was ordered against him in the past for unauthorised absence. He was found guilty in the enquiry and the disciplinary authority had proposed punishment of dismissal from service. After hearing him a lenient view was taken and the punishment was modified to reduction of basic pay by two stages. A second time for the same misconduct of absence another charge sheet was issued to him, a domestic enquiry was conducted, he was found guilty and punishment of dismissal was proposed. However after considering the submission of the worker a lenient view was taken by reduction of basic pay by two stages once again. But he

has not made any improvement. A third time he remained absent for a period of 141 days. Every opportunity was given to the workman to prove his innocence. He was defended by a union representative. The past record of the workman was duly considered by the disciplinary authority. The appeal filed by him was rejected. The punishment is proportionate to the misconduct and requires no re-consideration.

5. In the light of the above contentions the following points arise for consideration :—

1. Are the findings sustainable?

2. Is the punishment proper?

6. The evidence consists of Ext.M1 Enquiry File alone.

7. Point No.1 :— Ext.E-1 and E-2 in Ext.M1 are the charge sheets issued to the workman alleging unauthorised absence on and off on many occasions during 2004-2005. As per Ext. E1 charge sheet he was absent for a period of 131 days. Out of it on two occasions the absence exceeded 30 days were continuous (44 days and 45 days). As per Ext.E2 charge sheet the absence during 2005 was 10 days (from 3-6-2005 to 12-6-2005). According to the union the workman had submitted leave applications and medical certificates as well as fitness certificates whenever necessary and hence there was no violation of leave rules. But the management says that he used to apply for leave only after resuming duty. Whenever he remained absent continuously without intimation the management used to send notice and telegram asking him to report for duty immediately. But the workman neither replied nor resumed duty. Hence his absence was treated as unauthorised.

8. As per Ext.E1 charge sheet the workman was absent during the following periods:

| | | |
|-------------------------|---|----------|
| 2-8-2004 to 14-9-2004 | : | 44 days. |
| 1-12-2004 to 14-12-2004 | : | 14 days. |
| 20-1-2005 to 27-1-2005 | : | 8 days. |
| 3-2-2005 to 19-3-2005 | : | 45 days |
| 30-4-2005 to 19-5-2005 | : | 20 days. |

As per the above account the initial absence was for a period of 44 days. Ext.ME-7 is a notice with A/D card issued to the workman on 30-8-2004 asking him to report for duty immediately. Ext.ME-6 is copy of the telegram dated 25-8-2004 asking the workman to report for duty immediately. Ext.ME-1 is a report of the Branch Manager to the Chief Manager, Staff Admn. Dept. regarding continuous absence of the workman during the period from 2-8-2004 to 14-9-2004. It is reported that he had joined duty

only on 15-9-2004 and submitted leave application along with medical certificate and fitness certificate only on 15-9-2004. Ext.ME-2 is an intimation given to the Staff Admn. Dept. by the Branch Manager to the effect that there was no communication or intimation from the workman regarding his absence during the aforementioned period of 44 days. Ext.ME-17 is copy of attendance register of the month of August 2004 and Ext.ME-18 is attendance register of September 2004. They show that the workman remained absent from 2-8-2004 onwards for 44 days. Ext.ME-12 is an application for leave for the aforementioned period of 44 days on sick ground. Ext.ME-12(a) and (b) are medical certificate and fitness certificate. The leave application was submitted on 15-9-2004 along with medical certificate and fitness certificate. As per leave rules Ext.ME-5 para 1.1 an employee who desires to obtain leave other than casual leave has to apply one month before except in urgent cases or unforeseen circumstances including illness. Para 1.5 says that no leave or extension of leave shall be deemed to have been granted unless an order to that effect is passed and communicated to the employee concerned. Since the workman had applied for leave on sick ground he may be justified in saying that he was not able to apply for leave before hand. But that does not mean that he need apply only after resuming duty. He has to submit leave application as soon as possible or intimate his absence. In spite of notice and telegram he remained silent without even intimating the reason for his absence. As per 6th Bipartite Settlement dated 14-2-1995 Clause 19.5 (p) unauthorised absence without intimation continuously for a period exceeding 30 days is a gross misconduct. His application for leave was not granted. Thus the finding of the Enquiry Officer that his absence is unauthorised, is in order.

9. The next period of absence is from 3-2-2005 to 19-3-2005 for 45 days. Ext.ME-10 is a telegram sent to the workman on 11-2-2005 directing him to report for duty immediately. Ext.ME-11 is a registered notice with postal receipt sent on 12-2-2005 to the workman informing him that he had not resumed duty in response to the telegram and his absence from 3-2-2005 is unauthorised and is liable to be proceeded against. Again he was asked to report for duty immediately. Ext.ME-4 is a report of Senior Manager to the Chief Manager, Staff Admn. Dept. regarding the absence of the workman for the above period. Ext.ME-16 is a letter of Branch Manager to the Staff Administration Department forwarding leave application of the workman in respect of the period 3-2-2005 to 19-3-2005. Ext.ME-16(a) is leave application for the period of 45 days on sick ground. Ext.ME-16 (b) and (c) are medical certificate and fitness certificate. Ext.ME-23 is attendance register of February 2005 and Ext.ME-24 is attendance register of March 2005. They show that the workman remained

absent during the aforementioned period. The leave application was submitted only on 21-3-2005. Since the absence was continuous and exceeding 30 days without intimation it is in violation of the leave rules.

10. The next period of absence is 14 days from 1-12-2004 to 14-12-2004. Ext.ME-13 is a letter of Branch Manager to the Staff Admn. Dept. dated 15-12-2004 forwarding the leave application of the workman. Ext.ME-14 is leave application dated 15-12-2004. Ext.ME-14 (a) and (b) are medical certificate and fitness certificate. During this period also he had not intimated the bank. His leave was not granted. From 20-1-2005 to 27-1-2005 he remained absent for 8 days. Ext.ME-15 is a letter forwarding leave application of the workman by the Branch Manager to the Staff Admn. Dept. on 28-1-2005. Ext.ME-15(a) is leave application dated 28-1-2005. Ext.ME-15(b) and (c) are medical certificate and fitness certificate. Here also application was submitted after resuming duty and was not granted.

11. From 30-4-2005 to 19-5-2005 he remained absent for 20 days without applying for leave. Only after resuming duty he applied for leave. Ext.ME-28 is a notice sent to the workman asking him to report for duty and informing him that he had not responded to the telegram. Ext.ME-26 is a report of Sr. Manager of the Branch to the Staff Admn. Dept. regarding unauthorised absence of the workman during the above period. Ext.ME-29 is a letter of Sr. Manager of the branch to the Staff Admn. Dept. forwarding the leave application of the worker. Ext.ME-25 is attendance register of the period April 2005 and Ext. ME-32 is attendance register of May, 2005. They reveal that the workman remained absent during the above said 20 days. Ext. ME-30 is leave application dated 20-5-2005. Ext. ME-30 (a) and (b) are medical certificate and fitness certificate. The workman had failed to apply for leave or intimate the bank the reason for the absence.

12. As per the first charge sheet Ext. E1 thus the workman remained absent for a period of 131 days during 2004-2005. Out of it on two occasions his absence exceeded 30 days continuously and is a gross misconduct as per Clause 19.5 (p) of 6th Bipartite Settlement. The other absence fall under Clause 19.7(a) of First Bipartite Settlement.

13. As per Ext. E2 the 2nd charge sheet the workman is said to have remained absent continuously for 10 days from 3-6-2005 to 12-6-2005. Ext. ME-31 is a letter forwarding leave application of the worker to the Staff Admn. Dept. Ext. ME-31 (a) is leave application dated 13-6-2005. Ext. ME-31 (b) and (c) are medical certificate and fitness certificate. Ext. ME-33 is attendance register of June 2005 which shows that the workman remained absent for 10 days continuously. He applied for leave only after

resuming duty. The management was not convinced of the reason for the absence and his application was not allowed. It is a minor misconduct falling with Clause 19.7(a) of 1st Bipartite Settlement.

14. The Enquiry Officer found that the absence was clearly unauthorised and against leave rules. The documents produced amply prove this fact. The workman was in the habit of availing leave now and then and sometimes exceeding 30 days. There is no reason to find that the conclusion drawn by the Enquiry Officer is in any way incorrect.

15. The contention in the claim statement that the workman was not given proper opportunity to prove his innocence is baseless. As the proceedings sheet show the workman was given sufficient opportunity to participate in the enquiry and he was defended by union Vice President. The management witnesses were cross-examined. At the close of the evidence of management the workman was given opportunity to adduce defence evidence. But he did not avail the opportunity. For the reasons stated above, I hold that there is no infirmity in the findings of Enquiry Officer.

16. Point No. 2:—The punishment imposed is dismissal from service. According to the workman he has a clean past record of service. It was not considered by the disciplinary authority while imposing the punishment. He has not violated any leave rules. He is sole bread winner of his family consisting of wife, two children and aged and ailing father. But the order of the disciplinary authority reveals that the workman was in the habit of remaining absent on an off even in the past. Twice domestic enquiry was conducted regarding unauthorised absence, he was found guilty in both disciplinary action, punishment of dismissal was proposed and after hearing the workman a lenient view was taken and the punishment of reduction of basic pay by 2 stages on both occasions, was imposed. This is the 3rd time that for the same misconduct disciplinary action is taken, domestic enquiry is conducted and punishment is imposed. Therefore he has no clean past record. The management branch may find it difficult to function smoothly without the help of a bankman. In spite of past two disciplinary action the workman did not make any improvement. The poor family circumstances described by him did not impel him to attend duty and earn his living. Considering these circumstances it cannot be said that the punishment is in anyway shockingly disproportionate to the misconduct. Hence I don't think that any leniency in the matter of punishment is called for.

In the result an award is passed finding that the action of the management in dismissing Shri Sibi Varghese from service is legal and justified and he is not entitled for any relief.

The award will come into force one month after its publication in the official gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 14th day of August, 2009.

P. L. NORBERT, Presiding Officer

Appendix

Witness for the Union

Nil

Witness for the Management

Nil

Exhibit for the Union

Nil

Exhibit for the Management

Enquiry File.

नई दिल्ली, 3 सितम्बर, 2009

का.आ. 2720.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल रेलवे के प्रबंधन के सम्बन्धित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ग्राम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 108/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-9-2009 को प्राप्त हुआ था।

[सं. एल-41011/41/2001-आईआर(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 3rd September, 2009

S.O. 2720.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 108/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the management of Central Railway and their workmen, received by the Central Government on 3-9-2009.

[No. L-41011/41/2001-IR(B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

Present: N. K. Purohit, Presiding Officer

I. D. 108/2002

Ref. No. L-41011/41/2001-IR (B-1) dated: 30-5-2002

BETWEEN

Sh. Surendar Singh, President

Rashtriya Chaturth Shreni Rail Mazdoor Congress (INTUC)

68-Sector-16, Sikandara,

Agra (U.P.)-7.

(Espousing matter of Shri Nathi Lal & Shri Ram Prasad)

AND

1. The Divisional Railway Manager (P)

Central Railway,

Jhansi-284001

2. The Senior D.E.N. (Sr. D.C.M.)

Central Railway,

Jhansi-284001

AWARD

19-8-2009

1. By order No. L-41011/41/2001-IR (B-1) dated: 30-5-2002 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub-section (1) and sub section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between Sh. Surendar Singh, President Rashtriya Chaturth Shreni Rail Mazdoor Congress (INTUC), 68-Sector 16, Sikandara, Agra (Espousing matter of Shri Nathi Lal & Shri Ram Prasad) and the Divisional Railway Manager (P), Central Railway, Jhansi & the Senior D.E.N. (Sr. D.C.M.), Central Railway, for adjudication.

2. The reference under adjudication is:

Kya Mandal Vanijaya Adhikshak (Samanya), Madhya Railway, Jhansi द्वारा Shri Nathi Lal वराम Shri Ram Prasad को दिनांक 1-4-1992 से सेवा में स्थायी नहि करके उनहिन निशकासित कर्मा न्यायचित है? यदि नहि, तो सम्बन्धित कर्मकार किस अनुतोष के हकदार है?

The case of workman's union in brief is that both the workmen viz. Nathi Lal and Ram Prasad were under employment of the Railways w.e.f 19-2-1977 and 3-8-1976 respectively as Hot Weather Water Man on seasonal work and have got temporary status, after working continuously for 120 days vide order dated 5-1-90. The workman were screened by through medical examination in the Railway Hospital for posting on permanent basis and were interviewed also but the management of Railways instead of employing them on permanent basis prevented them from work w.e.f. 1-4-92; moreover it not only retained 57 other workmen, junior to the workmen under consideration, but also made them permanent in

service. The trade union has also submitted that name of the workmen finds its reference in the LTI Register and Live Registers, which are maintained by the management to provide employment on in railway service on priority basis, as and when the vacancies arise.

4. It has been alleged by the workmen's union that the action of the management of Railway in preventing the concerned workmen to work is in contravention with the provisions of Indian Railway Establishment Manual and law laid down by Hon'ble Apex Court whereby it provides that it is obligatory to issue pre-notice, before removing such workmen who have got temporary status. It has further been alleged that the management has violated principle of 'first come last go' and that of provisions of Section 25 G & H of the Industrial Disputes Act, 1947 by discontinuing the workmen and retaining other workmen junior to them. Accordingly the workmen's union has prayed that the workmen concerned be reinstated with continuity & back wages and be regularized in railway services.

5. The management of the Railway has disputed the claim of the workman by filing its written statement, whereby it has submitted that the workmen have worked intermittently in the hot weather i.e. April/June to July in the year 1973-1976 & 1988 to 1991 only and thereafter, consequent to installation of water coolers the practice of engaging hot weather watermen was discontinued and accordingly they were never employed by the railways after 1991 in any capacity, therefore, there arise no question of making them permanent or preventing them from work. It has been submitted by the management that after expiry of hot weather their engagement came to an end automatically. Regarding medical examination and screening of the workmen by the railways, it has been submitted that this is done with an objective to check their suitability and whenever there is a need they may be called and engaged whereas regarding grant of temporary status to the workmen it has been submitted that the hot weather workmen are engaged for limited specified period of summer season and if their work exceeds 120 days they become entitled to MRCL or Temporary Status for that particular season. Such seasonal workers who earn temporary status are paid and provided other facilities at par with other temporary status employees; but it does not confer any right upon them to get any permanent or temporary post in railways. As regard maintenance of live register it is submitted by the management of railways that same is maintained for administrative purposes to keep a record of casual workers so that as and when need arise for casual workers, in future, they may be called with respect to their seniority. The opposite parties have specifically denied the violation of any of the provisions of Industrial Disputes Act, 1947 or principles of 'first come last go' by

retaining 57 workmen junior to the workmen under adjudication and has submitted that out of said 57 workmen, 31 workmen were engaged on compassionate grounds and 26 workmen from the list prepared on the basis of past working days. Accordingly, the management of Central Railways has prayed that the claim of the workmen's union be rejected without any relief as prayed by them.

6. The workman has filed rejoinder whereby it has only reiterated its averments in the statement of claim and has introduced nothing new.

7. The parties submitted documentary evidence in support of their respective cases and the union has examined the workmen concerned whereas opposite party examined Shri M. Gnan, Asstt. DCM, NCR, Jhansi in support their respective cases.

8. Heard learned representatives of both the sides and perused relevant material on record.

9. The learned representative on behalf of the workmen has contended that it has been admitted by the management that both the workmen had worked since 1973 to 1991 on Seasonal Work & the names find place in seniority list & they got temporary status. He has further contended that the workmen were prevented from the work in the next season w.e.f. 1-4-1992 while 31 workmen out of 57 who were absolutely new were given work after removing these two workmen. He has alleged that a workman of temporary status cannot be removed from service without notice. At the time of dis-engagement of the workmen 572 post of Group 'D' were vacant. The management has engaged 57 workmen on the basis of pick & choose policy in violation of principle of 'first come last go'. Therefore, the workmen are entitled to get reinstatement in service with full back wages & regularization. In support of contentions he has placed reliance on following case laws:

1. 1992 SCC (L&S) 611 Union of India Vs Basant Lal & others;

2. 1989 L&S (H) SC p.72 Ram Kumar Vs Union of India;

3. 1996 SCC (L&S) 1273 Central Bank of India Vs. S. Satyam & others;

10. Per contra, the learned representative on behalf of the Railway Administration has urged that the workmen were engaged for Hot Weather Seasonal Work for providing water to passengers at Railway Station. The Mobile Seasonal Casual Watermen engaged for Hot Weather-cum-Summer season were to be disengaged on 15th July or days the onset of 'Mansoon' which ever was earlier. Further vide Railway Board's letter dt. 3-2-1992 all the Mobile

Seasonal Casual Workman were disengaged in the year 1992. The para 2003 & 2006 of IREM Vol. II does not confer any right to the claimant for absorption in regular Group 'D' employment. He has further urged that casuals are not workers even if they have worked for more than 120 days. Further, similarly situated Mobile Seasonal Casual Water Man had also agitated I.D. before CGIT, Kanpur in ID 15/95 & 109/97 but the Tribunal held workmen not entitled for any relief similarly in I.D. No. 76/2001, also the Tribunal has rejected such claim vide award dt. 17-12-2004. The workmen are not entitled for any relief under I.D. Act. He has also referred following case law in support of his contentions.

1. 2004 (9) SRJ 364 Executive Engineer ZP Engg. Divn. & ANR Vs Digambra Rao Etc. (Regularization)
2. 2002 (2) All India SLJ P. 316 The Range Forest Officer & Anr. Vs ST. Hadimani.
3. 2003 (3) All India SLJX P.147(SC) Surendra Kumar Sharma Vs Vikas Adhikari and Anr.
4. Morinda Co-op Sugar Mills Vs Ram Kishan & others AISLJ. IV 1996 (1) page 170 Section 2 (bb) (oo).

11. I have given thoughtful consideration on the rival submissions of both the sides & perused the relevant record.

12. It is not disputed that the workmen had worked as Seasonal Hot Weather Workman. The Railway Administration has admitted in written statement that the workman Ram Prasad had worked as such in the hot weather from April to June/July in the year 1973, 1974 to 1976, 1988 to 1991 for the period hanging between 7 days in 1973 to 113 days in 1991 & the workman Nathilal had worked as such in the year 1983 for 119 days, in 1989 for 119 days & in 1990 for 97 days & in 1997 for 103 days.

13. The workman Sh. Ram Prasad has stated that he was initially engaged as Casual Labour on 3-8-76. He had continuously worked since 16-4-88 at Koli Kal Vrindawan. He got status of MRCL on 29-3-89 & he was getting salary as regular employee w.e.f. 29-4-89. He was called for interview vide message dt. 31-3-92. His name is at Sl. No. 233 in the seniority list despite he was not taken on work w.e.f. 1-4-1992. He has further alleged that no notice has been given to him before disengagement w.e.f. 14-1992.

14. Sh. Nathilal has also stated that he was engaged on 19-2-77 & he had continuously worked upto 1988 & got MRCL status in the year 1989. He was initially appointed in 10 W (Construction) Mathura & getting regular pay since 1989 & he was called on 31-3-92 for giving permanent status

despite this he was not taken on work w.e.f. 1-4-92. He has further alleged that no notice was given to him before disengagement.

15. The management witness Sh. M. Oraon, Asstt. Divisional Commercial Manager has admitted that the workmen had worked from 1973 to 1991 every year as Seasonal Hot Weather Workmen but did not work continuously for 120 days in any season & as per Railway Board policy they were not engaged in the year 1992. But in cross-examination he has admitted that the names of Ram Prasad & Nathilal find place in seniority list at Sl. No. 233 & 658 respectively. He has also admitted that document no. 1/4 dt. 3-1-99 belongs to Railway department and ultimately had to admit that temporary status was granted to them w.e.f. April 1989.

16. Thus, the statement of the workmen as regard grant of temporary status also finds support from the evidence of the management witness & it is established from the evidence of management witness that the workmen had acquired temporary status vide order dt. 3-1-90 & as per this order Sh. Ram Prasad & Sh. Nathilal were granted temporary status w.e.f. 29-4-89 & 3-4-89 respectively.

17. As per Rule 2004 of REM Vol. II except where notice is necessary under any statutory obligation, no notice required for termination of services of casual labour but in case of casual labourers who has obtained temporary status after completion of prescribed period of continuous employment, the period of notice will be determined by the rules applicable to temporary railway servants. Rule 2005 prescribes the entitlement and privilege admissible to casual labourers who are treated as temporary i.e. given temporary status. The casual labour treated as temporary are entitled to the rights and benefits admissible to temporary railway servants as laid down in Chapter XV of the Manual. The Chapter XV is pertaining to terms and conditions applicable to the railway servant in temporary service. Rule 1502 envisaged that services of a temporary railway servant shall be liable to terminate on 14 days notice and lieu of the notice prescribed, it shall be permissible on the part of the railway administration to terminate the services a railway servant by paying him the pay for period of notice, and in case of railway servant to whom the provisions of the I.D. Act, 1947, apply he shall be entitled to notice or wages in lieu thereof in accordance with the provisions of that Act.

18. In present matter although in the written statement it has been disputed that the workmen had not worked continuously for more than 120 days, but the management witness has admitted that vide order dt. 3-1-1990 (1/9) temporary status was granted to the workmen. The contention of the learned representative on behalf of the

railway administration that the temporary status was granted only for the year 1989, is not tenable. There is no such provision in the IREM that temporary status granted would be for only that particular year in which such status was granted. Even seasonal labourers as per Rule 2006 (2) (a) casual watermen for summer season shall be eligible for temporary status on completion of 120 days of continuous employment and once temporary status has been granted vide order dt. 3-1-1990 (1/9) it may be assumed that such status was granted after completion of the statutory prescribed period and once seasonal labour acquired temporary railway servant status by operation of law or by order of the railway administration the condition of the services would be governed as set out in Chapter XV of IREM, thus, prior to disengagement of the workmen compliance of the provision as regard prior notice or wages in lieu of notice was essential. Admittedly, the said procedure has not been carried out in the present matter. In 2004 III LLJ P. 195 Hon'ble Gujrat High Court has observed that termination of the services of the employee who had acquired temporary status after completion of 120 days continuous service, the authority concerned had to comply with Rule 1502 of IREM Vol. I by issuing 14 days notice prior to termination in above case direction were given to reinstate the employee without back wages.

19. The learned representative on behalf of the railway administration has referred the award passed in the matter of Mobile Hot Weather Watermen by CGIT, Kanpur and other Tribunals. The fact of those cases are different. It was not an admitted fact in the said awards that temporary status was granted to the workmen concerned but in present case it has been established that such status was granted to the workmen. In none of the case laws which have been cited by the learned representative, it was under consideration whether a seasonal labourer who had admittedly acquired temporary status under provision of IREM may be disengaged without complying the provision under rule 1502 of the IREM Vol. I.

20. In view of the discussions since, the workmen had admittedly acquired the temporary status in the year 1989 and notice or wages in lieu of notice has not been given prior to their disengagement, the action of the railway administration in disengaging the workmen w.e.f. 1-4-92 is not justified.

21. As regards relief for regularization of the services of the workmen is concerned in rule 2005 of the IREM it has been categorically mentioned that such casual labour who acquired temporary status, will not however, be brought on to the permanent or regular establishment or treated as regular employment in railway until and unless they are selected through regular selection for group 'D' post in the manner laid down from time to time and subject to such order Railway Board may issue time to time. It further

envisage that no temporary post should be created to accommodate such casual labours who acquired temporary status for the conferment of benefits. Thus, such temporary status acquired casual labourer can not claim for regularization as a matter of right. Their regularization may be done in terms of railway rules according to their turn keeping in view the practice followed in such cases.

22. So far as the alleged violation of principle of 'First Come Last Go' is concerned, it is not disputed that 57 persons have been employed vide order dt 16-4-92 (16/92) as Hot Weather Watermen during the year 1992 out of them candidates from Sl. No. 1 to 31 mentioned in the said order were employed on the basis of compassionate ground and from sl. no. 31 to 57 have been employed on the basis of divisional seniority of casual watermen of commercial department. Admittedly, the name of the workmen Sh. Ram Prasad and Sh. Nathilal are at Sl. No. 233 and 658 respectively in the seniority list. But it is not established from the material on record that those who have been employed vide order dt. 16-4-92 were junior to them. Thus, under has failed to prove that employment of the workman mentioned in the said order is in violation of Section 25 G & H of the I.D. Act.

23. In view of the above discussions the workmen is entitled for reinstatement as temporary status employee. The workmen were disengaged in the year 1992 but they have raised the industrial dispute at very belated stage. Moreover, they have not stated that they did not remain in any gainful employment since 1992. Having regards to the entire facts and circumstances of the case, the interest of justice would be subserved by reinstating the workmen without back wages.

24. Accordingly, the reference under adjudication is answered as under;

(i) Since the workmen had acquire temporary status, the action of the management disengaging the workmen in violation of provisions of IREM w.e.f. 1-4-1992 is unjustified, the workmen Sh. Ram Prasad & Sh. Nathilal are entitled to be reinstated as Seasonal Labourer having temporary status, in service without back wages on available vacancies.

(ii) The railway administration is further directed to comply the direction to reinstate the workmen against available vacancies as expeditiously as possible and preferably within 3 months from the date of receipt of the order of the award.

25. Award as above.

Lucknow
19-8-2009

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 3 सितम्बर, 2009

का.आ. 2721.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वैश्य बैंक लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट (संदर्भ संख्या 16/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-9-2009 को प्राप्त हुआ था।

[सं. एल-12012/185/2006-आईआर(बी 1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 3rd September, 2009

S.O. 2721.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 16/2007) of the Central Government Industrial Tribunal-cum-Labour Court Chennai as shown in the Annexure in the Industrial Dispute between the management of Vysya Bank Ltd. and their workmen, received by the Central Government on 3-9-2009.

[No. L-12012/185/2006-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT CHENNAI

Wednesday, the 26th August, 2009

Present : A. N. JANARDANAN, Presiding Officer

INDUSTRIAL DISPUTE NO. 16/2007

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Vysya Bank Ltd. and their Workman)

BETWEEN

Sri M. Augustine : Petitioner/1st Party

Vs.

1. The Senior Manager
Vysya Bank Ltd.
Chennai.
2. The Vice-President (A&I)
Enquiry Officer
Vysya Bank Ltd.
Bangalore.
3. The Vice-President : Respondent/2nd Party
Dy. Head -H.R. &D.A.
Vysya Bank Ltd.
Bangalore.

APPEARANCE

For the Petitioner : M/s. P.V. Ballasubramaniam & Others

For the Management : T.S. Gopalan & Co.

AWARD

The Central Government, Ministry of Labour vide Notification No. L-12012/185/2006, IR (B-I) dated 20-3-2007 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

“Whether the demand of Sri M. Augustine for reinstatement into service with all benefits as his services dismissed w.e.f. 19-10-2002 after imposing penalty by the Management of Vysya Bank Ltd. is just and proper? If not, to what relief is Sri M. Augustine entitled to?”

2. After the receipt of the industrial dispute, this Tribunal has numbered it as ID 16/2007 and issued notices to both sides. After that the petitioner appears in person and objected the representation of the Advocate by the other side. Subsequently, he engaged an Advocate and file Claim Statement and the Respondent also filed Counter Statement.

3. The allegations in the Claim Statement are briefly as follows:

The petitioner entered into service of the Respondent Bank in the year 1982 as a Peon and thereafter he was promoted as Clerk in the year 1986. In his service he has been given many merit certificates for his meritorious service. While so, to his shock and surprise an order of suspension dated 3-8-2001 was issued and a Charge Memo was also issued to him. Three Charges were leveled against him and the petitioner denied the same. In the meantime, the Respondent Bank has also lodged a complaint with the Central Crime Branch Police in Crime No. 496/2001 on the very same charges which were leveled against him in the Charge Memo. The petitioner appeared in the domestic enquiry on 20-4-2002 accompanying his Advocate but the Enquiry, Enquiry Officer had refused to permit the petitioner's lawyer in the enquiry. The petitioner then represented that since the criminal case on the very same charges is pending before the Court, the Departmental Enquiry should be kept in abeyance till the disposal of the said criminal case. But the enquiry Officer held that there is no bar to proceed with the enquiry and directed the petitioner to participate in the departmental Enquiry. Then the hearing was posted on 12-6-2002 and the petitioner requested the Enquiry Officer to give one month's time to file his defence statement and it was granted by the Enquiry Officer. In the meantime, on 6-7-2002, the petitioner made

a specific request to keep all further proceedings in abeyance pending disposal of the criminal case but by a telegraphic reply the Respondent refused to consider the petitioner's request and intimated him that the Departmental Enquiry will proceed. Further on 13-7-2002, the Respondent Management has conducted the enquiry *ex parte* and forwarded the copy of the Enquiry Report to the petitioner. But even the petitioner's representation to drop all further proceedings, the Disciplinary Authority issued a 2nd show cause notice and followed the usual procedure and imposed the punishment of dismissal against the petitioner. Hence, the petitioner approached the labour authorities and after failure of conciliation the matter is referred to this Tribunal for adjudication. Since the departmental proceedings and the criminal case are based on identical and similar set of facts, the Respondent has kept in abeyance the departmental enquiry till the disposal of the criminal case. In this case, the Order of Suspension, the Charge Memo, the enquiry were conducted by one and the same person viz. Thiru Jeyaparakash which the principals of natural justice. Even though, the petitioner has made several requests to the Enquiry Officer, the assistance of a lawyer which has been turned down by the Enquiry Officer and the same would amount to violation of principles of natural justice and bipartite settlement. Hence, for all these reasons the petitioner prays that the order passed by the Respondent Authority is to be set aside and he has to be reinstated in service with all consequential benefits.

4. The Respondent in his Counter Statement alleged that the Respondent is a Banking Company governed by the provisions of Banking Companies Regulation Act. The petitioner was a Clerical staff working in the Mount Road branch during the year 2000-2001. During July 2001, the Officers of that branch were called for a meeting and they were impressed the imperative need to make complete reconciliation with regard to "Bills Realized Outstanding Account" and "Remittance Cheques Outstanding Main Branch Clearing" and "Any Bank Branch". When the entries of the "Bills Realized Outstanding Account" and "Remittance Cheque Outstanding Account" were verified it was noticed that there were no vouchers for two entries of Rs. 10 lakhs and Rs. 15 lakhs on 5-2-2000 and on 9-5-2000 respectively. On scrutiny it transpired that on 5-2-2000 Rs. 10 lakhs was transferred by debiting "Bills Realized Outstanding Account" crediting three Savings Bank Accounts viz. SB A/c No. 75710 of S. Pascal Raj, SB A/c No. 89478 of André Joseph Marianna and SB A/c No. 90816 of Ramna Ravishanker. Only a sum of Rs. 2,05,765 was credited to the SB A/c. No. 75710 of Pascal Raj on 5-2-2000 was utilized towards Cheque No. 699353 dated 11-2-2000 for Rs. 1 lakh to the credit of M/s. Joanees Creators whose proprietrix was Mrs. Joanees Mary, the wife of the petitioner. It also came to light in the scrutiny that on 9-5-2000, 15 lakhs was transferred by debiting the

remittance pending advice General Ledger Head Account to the SB A/c of M/s. S Pascal Raj, Andre Joseph Marianna and Ramna Ravishanker. From these SB Accounts payments were made to the account of various parties including the petitioner's wife Mrs. Joanees Mary. As some of the entries revealed that the petitioner's wife was the beneficiary of the unauthorized transfer, it became evident that entries must have made by the petitioner more particularly when the two concerned Officers whose password was used affirmed that had not authenticated the entries and somebody must have used the password. On 3-7-2001, the 3rd Respondent made a complaint to the Additional Commissioner of Police, Central Crime Branch and the complaint was taken as Crime No. 496/2001. After that the petitioner was arrested by the Inspector of Police and in the presence of the said Inspector of Police, the petitioner made a detailed confession statement viz. the manner in which he made the fraudulent entries and how he used the money which was misappropriated by him which statement was witnessed by S.V.S. Ramani and V. Srinivasan and the statement was given in the presence of Sri D.B. Desai who was then Special Officer (Vigilance Wing) of the Respondent Bank. When charge sheet was given to the petitioner on 31-12-2001 listing out the charges, the petitioner has not given any proper reply and he was prevaricating in his reply and did not answer the charges. even though he was asked to appear for enquiry and in spite of several opportunities, the petitioner deliberately avoided the enquiry and thereby the Enquiry Officer was obliged to conduct the enquiry in his absence on 13-7-2002. In the enquiry Sri D. B. Desai, Special Officer (Vigilance) gave evidence speaking to the nature of transaction in which the petitioner indulged in malpractice and misappropriated the money. The petitioner did not come forward to appear before the enquiry nor did he dispute any of the statement made by the sole witness examined in support of the charges. The Enquiry Officer gave his report holding that the charges against the petitioner were conclusively proved. when the report of the Enquiry Officer was forwarded to the petitioner, the report given a reply. Thereafter, a second show cause notice was issued proposing the punishment of dismissal and after the usual formalities, the Disciplinary Authority passed orders confirming the proposed punishment and dismissed the petitioner from service. The dismissal of the in the aforesaid circumstances is fully justified and valid in law. Though, a number of opportunities were given to the petitioner, the petitioner was not willing to participate in the enquiry and vindicate his stand. In any of these letters or explanation addressed to the Respondent, he has not given any explanation as to how the amount which was transferred to the SB Account of his wife or how the amount had gone into the hands of this wife the accounts of her firm. Therefore, he cannot be heard to complain that he was not

given a fair deal in defending himself against the charges. It cannot be contended that the Respondent Bank should keep the enquiry proceedings in abeyance completion of the criminal trial, in fact even as on date the criminal trial, in fact even as on date the criminal trial is still under investigation. The Enquiry Officer apart from the documentary evidence has relied on the confession made by the petitioner to the police and the finding, the guilt on the basis of said confession cannot be interfered with. Hence, for all these reasons the Respondent prays that the claim may be dismissed with costs.

5. Points for consideration are:

(i) Whether the demand of the petitioner for reinstatement into service after setting dismissal from service aside by the Respondent Bank is just and proper?

(ii) To what relief the concerned employee is entitled?

6. Evidence consists of the documentary evidence Ex. W1 to Ex. W28 on the side of the petitioner and Ex. M1 to Ex. M39 on the side of the Respondent. No oral evidence was adduced on either side.

Point No. 1

7. The learned counsel for the petitioner contended that the enquiry was commenced and concluded in undue haste within a period 3 months disregarding the repeated requests of the petitioner praying for postponement and after setting him ex-parte. The relevant witnesses who allegedly left keeping the system open should have been examined. There are no vouchers in material forms but only the system entries to prove the allegation of falsification of accounts by wrong credits and debits. The enquiry report is an outcome of bias and perversity. The fairness of the departmental enquiry can be looked into at this stage, the learned counsel for the petitioner further argues. Further according to him, it is not possible to arrive at the conclusion reached by the Enquiry Officer on the basis of the materials relied upon by the Enquiry Officer. He submits that the entries cannot show that they were made by the petitioner himself. He further pointed out that the petitioner was not given enough opportunity to defend the case. The finding of the Enquiry Officer is also assailed as perverse and the charges are challenged as not being proved, which stand denied by the Respondent's Counsel. The confession statement taken is also assailed as devoid of the signature of the petitioner. That D.B. Desai, Vigilance Officer of the Respondent was present, is not vouchsafed by his signature thereon the confessional statement or any other credential. The counsel for the petitioner argued in sequence that the confession statement is one purported to be recorded under Section-161 Cr PC by Police and the same cannot be treated as a valid material to fasten liability upon the petitioner. There is no other tangible material to show that the petitioner is the person responsible for the falsification of accounts as well the fraudulent debits and credits of the different misappropriated amounts to various

accounts in the names of different persons including his wife. True there are no vouchers showing the existence of any tangible evidence in the material forms since the transactions are purported to have taken place through the system.

8. The learned counsel for the Respondent would argue that the question of fairness or propriety of the enquiry has already been considered and the same has been held to be just, fair and proper. He would repel the contention of the learned counsel for the petitioner that the said question can be re-appreciated. The said contention is only to be sustained. It is not disputed by the petitioner that he has given a confession statement before the Police. The present question is whether the finding of guilt entered by the Enquiry Officer is justifiable action on the confession statement. The Vigilance Officer, P. B. Dasai, has also before the Enquiry Officer that the petitioner has given a statement confessing the guilt levelled in the charges against him. It could be seen that all the documents marked as Ex. M1 to Ex. M39 including the confession statement have been admitted into evidence on the expression of consent on behalf and by the petitioner. The Enquiry Officer relied on the confession statement as well as on material circumstances to conclude his finding that the petitioner is the person guilty of the fraudulent misappropriation of huge sums of money and for falsification of accounts. In other words, it is not on the confession statement given by the petitioner alone that he has arrived at the conclusion that the charges are proved. The learned counsel for the Respondent invited this Court's attention to the decision of the Supreme Court in *Kuldeep Singh Vs. State of Punjab and others* (1996-10 SCC-659) wherein it was held that "if the appellant's confession is relevant, the fact that it was made to the police or while in the custody of the police may not be of much consequence for the reason that strict rules of Evidence Act do not apply to departmental/disciplinary enquiries. If the disciplinary authority comes to the conclusion that the statement was indeed voluntary and true. He may well act upon the said statement in the instant case the authorities say that they were satisfied about the truth of the appellant's confession". Another decision was rendered by the Apex Court in *Commissioner of Police, New Delhi and Narendra Singh* (2006-3-LLN-104) wherein it is held that "Confession or admission of guilt made by a person accused of an offence before or while in the custody of a police officer is not admissible in a court of law according to Section-25 and 26 of the Evidence Act, 1872 and it is equally well settled that these rules of evidence do not apply to departmental enquiries." As could be seen the above rulings if it is satisfied that there was a confession made, it was voluntary and the same is true and relevant the same can be acted upon even if made before Police. There is enough proof show that petitioner confessed. He himself has not denied having given such a confession. The confession is voluntary. As

could be gathered from the fact that it unfolds the relevant fraudulent transactions committed by someone and that someone later came to light to be the petitioner himself under which there have been falsification of various accounts and mis-credits and debits leading to ultimate misappropriation of huge amounts of money extending to Rs. 25.00 lakhs. The fact that major portions of the amounts were found credited into the account of the wife of the petitioner and his associates could be read as conclusive circumstance to hold that the petitioner alone is responsible for the entire episode relating to the fraudulent transaction which he contrived using the misplaced found passwords of his colleagues. It could well be found that the petitioner alone is the person responsible for the fraudulent traffic to the exclusion of anybody. There is no illegality or perversity in the impugned finding of the Enquiry Officer and therefore the same is only to be upheld as just and proper and it is so found. Regarding the alteration of the punishment having regard to the nature or gravity of the offence committed by the petitioner standing in fiduciary relationship with the Bank, no interference with the punishment imposed is called for.

Point No. 2

To what relief the concerned employees is entitled ?

9. In the light of above finding, the petitioner is not entitled to any relief. No. order as to costs.

10. The reference is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 26th August, 2009).

A. N. JANARDANAN, Presiding Officer

Witnesses Examined :—

For the I Party /Petitioner : None

For the II Party/Management : None

Documents marked on the side of the Petitioner

| Ex. No. | Date | Description |
|---------|------------|-------------------------------------|
| Ex. W1 | 31-7-2001 | First Information Report (FIR) |
| Ex. W2 | 03-8-2001 | Suspension Order of the Respondent |
| Ex. W3 | 31-12-2001 | Articles of Charges |
| Ex. W4 | 04-02-2002 | Representation of the Petitioner |
| Ex. W5 | 20-4-2002 | Proceedings of Departmental Enquiry |
| Ex. W6 | 1-5-2002 | Representation of the Petitioner |
| Ex. W7 | 7-5-2002 | Reply of the 2nd Petitioner |
| Ex. W8 | 15-5-2002 | Representation of the Petitioner |

| | | |
|---------|------------|---|
| Ex. W9 | 12-6-2002 | Proceedings of the Departmental Enquiry |
| Ex. W10 | 12-6-2002 | Attendance certificate of the Enquiry |
| Ex. W11 | 06-7-2002 | Representation of the Petitioner |
| Ex. W12 | 11-7-2002 | Notice of the 2nd Respondent |
| Ex. W13 | 12-7-2002 | Telegram of the 2nd Respondent |
| Ex. W14 | 24-7-2002 | Representation of the Petitioner |
| Ex. W15 | 29-7-2002 | Order of relaxation of conditional Bail |
| Ex. W16 | 30-7-2002 | Report of Enquiry |
| Ex. W17 | 06-8-2002 | Representation of the Petitioner |
| Ex. W18 | 05-9-2002 | Second Show Cause Notice of the 1st Respondent |
| Ex. W19 | 16-9-2002 | Representation of the Petitioner |
| Ex. W20 | 16-9-2002 | Change of Address of the Petitioner |
| Ex. W21 | 27-9-2002 | Letter to 3rd Respondent for Subsistence Allowance |
| Ex. W22 | 28-10-2002 | Letter to 3rd Respondent for Subsistence Allowance |
| Ex. W23 | 26-11-2002 | Letter to 3rd Respondent for Subsistence Allowance |
| Ex. W24 | 18-12-2002 | Grievances of the Petitioner to MD&CEO |
| Ex. W25 | 31-01-2002 | Savings Bank A/c Statement of the petitioner |
| Ex. W26 | 8-02-2003 | Reply from the Vice-President-IR&W |
| Ex. W27 | 19-10-2002 | Dismissal Order issued by the 1st Respondent. |
| Ex. W28 | 09-8-2004 | Discretion of the Hon'ble High Court, Madras in WP 6711 of 2003 |

On the Management side :

| Ex. No. | Date | Description |
|---------|------------|---|
| Ex.M1 | 11-01-2002 | Petitioner's letter to Vice President-Pers & Admn. and Disciplinary Authority of the Respondent |
| Ex.M2 | 19/ | Respondent's Memo No. 100/01 |
| | 23-01-2002 | ER/1940-2001-02 to the Petitioner |

| | | | | | |
|---------|---------------|--|---------|------------|--|
| Ex. M3 | 18/19-03-2002 | Order of Disciplinary Authority No. 11/01/ER/2241 | | | on 14-02-2000 on 15-02-2000 and 22-02-2000 |
| Ex. M4 | 09-4-2002 | Letter from Disciplinary Authority to petitioner - Ref No. 100/01/ER/40 with Ack. of Petitioner | Ex. M17 | — | Copy of Statement of A/cs of SB A/c No. 89478 and 4 withdrawals made on 08-02-2000 on 10-02-2000, on 11-02-2000 and on 23-02-2000 |
| Ex. M5 | 20-04-2002 | Oral Statement of petitioner in Departmental Enquiry No. 8/ 02 against the petitioner | Ex. M18 | — | Copy of Statement of A/cs of SB A/c No. 90816 from 04-11-1999 to 28-02-2001 with transaction entry on 05-02-2000 and 3 withdrawals |
| Ex. M6 | 01-05-2002 | Petitioner's Telegram to Disciplinary Authority received by Bank on 04--5-2002 | Ex. M19 | 09-05-2000 | Copy of Direct GL transaction on 09-05-2000 |
| Ex. M7 | 06-05-2002 | Order of Disciplinary Authority to petitioner— Ref. No. 11/01/ER 175 with acknowledgement | Ex. M20 | 09-05-2000 | Copy of Page 32 of transaction supplementary of 09-05-2000 |
| Ex. M8 | 13-05-2002 | Enquiry Officer's communication to Petitioner— In ref. No. 100/01/GDJ/202 enclosing list of document and list of witnesses referred to be examined in the enquiry with postal acknowledgement of petitioner. | Ex. M21 | — | Copy of Page 159 of Cheques Issued Register |
| | | | Ex. M22 | — | Copy of Page 197 of Cheques Issued Register |
| | | | Ex. M23 | — | Copy of Page 33 of Cheques Issued Register |
| | | | Ex. M24 | — | Copy of Page 91 of Cheques Issued Register |
| | | | Ex. M25 | — | Copy of Page 25 of Cheques Issued Register |
| Ex. M9 | 13-07-2002 | Proceedings sheet of Departmental Enquiry No. 8/02 | Ex. M26 | — | Copy of SB A/c Opening Form of S. Pascal Raj |
| Ex. M10 | 13-07-2002 | Examination in Chief of MW.1 Mr. D. B. Desai | Ex. M27 | — | Copy of Specimen Signature Card of S. Pascal Raj |
| Ex. M11 | 13-07-2002 | Enquiry Officer's communication to Petitioner enclosing copy of proceedings dated 13-07-2002 with copy of deposition and documents marked and taken on record. | Ex. M28 | — | Copy of Cheque No. 699360 favouring the K. V. B. Ltd. S. B. A/c. No. 9625 |
| Ex. M12 | 05-02-2002 | Copy of transaction of the bank at Mount Road Branch, Chennai | Ex. M29 | 12-05-2000 | Copy of Cheque No. 699359 of the Bank of Mount Road Branch favouring Yourselfs DD on Pondicherry |
| Ex. M13 | 05-02-2002 | Copy of page 23 of transaction supplementary of 05-02-2000 | Ex. M30 | 11-02-2000 | Copy of Cheques No. 699353 of the Bank of Mount Road Branch favouring the Karur Vysya Bank Ltd. |
| Ex. M14 | 05-02-2000 | Copy of Page 24 of transaction supplementary of 05-02-2000 | Ex. M31 | 12-06-2002 | Letter from Petitioner to Enquiry Officer |
| Ex. M15 | 05-02-2000 | Copy of Page 25 of transaction supplementary of 05-02-2000 | Ex. M32 | 31-07-2002 | Letter from Disciplinary Authority to Petitioner enclosing copy of report of enquiry dated 30-07-2002 on the charges dated 31-12-2001 levelled against the petitioner— Received by Petitioner on 30-8-2002 |
| Ex. M16 | | Copy of Statement of A/cs of SB A/c No. 75710 and 4 withdrawals made on 12-02-2000 and another | | | |

- Ex. M33 — Photocopy of the cover in which dismissal order was sent to the petitioner and returned undelivered by the postal authorities..
- Ex. M34 08-11-2002 Circular issued by Vice-President and Dy. Head—HR of the bank to all Branches regarding in the Dismissal of petitioner
- Ex. M35 — Postal acknowledgement of the petitioner in reply to Respondent's letter dated 08-02-2003 under Ref. 100/01/ER/1364
- Ex. M36 — Extract of Page 48 of Bipartite Settlement- Clause 19, 12 in respect of engagement of lawyer
- Ex. M37 — Extract of 3rd Bipartite settlement— pages 22 to 25
- Ex. M38 — Photocopy of two Mahazars dated 29-09-2001 and 20-02-2002 in Case No. 469/01 (Original has been filed by police before the Additional Metropolitan Magistrate Court, Chennai)
- Ex. M39 — True copy of Confession Statement of petitioner recorded by Inspector of Central Crime Branch on 02-08-2001 before
2 witnesses (Original of this Confession Statement has been filed by the police before the Additional Chief Metropolitan Magistrate Court, Chennai)

नई दिल्ली, 3 सितम्बर, 2009

का.आ. 2722— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट (संदर्भ संख्या 49/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-9-2009 को प्राप्त हुआ था।

[सं. एल-12012/15/2000-आई.आर. (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 3rd September, 2009

S.O. 2722—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 49/2000)

of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur as shown in the Annexure, in the Industrial Dispute between the management of State Bank of India and their workmen, received by the Central Government on 3-9-2009.

[No. L-12012/15/2000-IR (B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SRI RAMPARKASH, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM-LABOUR-COURT, SHRAM BHAWAN, ATI CAMPUS, KANPUR.

Industrial dispute Case No. 49 of 2000

Between :—

Sri Yogendra Singh,
S/o Sri M.P. Singh,
C/o H.M.S. 136-K,
Sarvodaya Nagar, Kanpur
And

1. The C.G.M.S.B. of India Local Head Office Moti Mahal, Marg Hazrat Ganj, Lucknow
2. The Deputy General Manager, State Bank of India, Zonal Office, M.G. Marg, Kanpur.

AWARD

1. The Central Government, Ministry of Labour and Employment, New Delhi, vide its notification No. L-12012/15/2000-IR (B-1) dated 24-05-2000, has referred the following dispute for adjudication to this tribunal :—

Whether the action of the Deputy General Manager, State Bank of India, Kanpur, in terminating the services of Sri Yogendra Singh with effect from 05-01-99 is legal and justified? If not to what relief the workman is entitled for?

2. Briefly stated facts of the case are that the applicant (claimant) was an Ex-serviceman, who was unemployed. Opposite party bank and some vacancies of guard, therefore they requisitioned from the District Soldier Welfare Officer (hereinafter for the sake of brevity shall be referred to as DSWO) to intimate a few names of suitable ex-servicemen for the post. The DSWO sponsored the name of the applicant to the opposite Party. After taking application for same post of guard along with all the certificates including educational qualification and the record of ex-servicemen, the opposite party judged the suitability of the applicant and he was selected and engaged by the opposite party on regular post just after test and interview and all other formalities the opposite

party was pleased to give employment in the bank as guard in the month of September 1988. The opposite party clearly told the applicant that he is given employment on regular basis as guard but later on due to high handedness and exploitation treated the applicant as Badli Guard which is unfair labour practice of the opposite party. The opposite party bank had not issued any appointment letter to the applicant due to their exploitive attitude. However, the bank had issued following experience certificate to the applicant—

- | | |
|--------------------------------|------------------------------|
| (i) Kalpi Road Kanpur Branch | from Sept. 1988 to Feb. 1989 |
| (ii) Chamanganj, Kanpur Branch | from Feb. 19 89 to June 1989 |
| (iii) Deputy Ka Parao Branch | from Mar., 1991 to Mar. 1996 |
| (iv) G. T. Road Branch | from Apr. 1997 to Jan. 1999 |

3. The opposite party is not giving work to the applicant since 05-01-99, although the applicant had been requesting regularly, although the opposite party has not issued any termination order, but they verbally told the applicant that they have terminated the service of the applicant and they will therefore not give work/employment to the applicant. The opposite party now saving that the applicant was a Badli Guard. The opposite party is guilty of refusing employment to the applicant as so many vacancies and work were created. But instead of giving employment to the applicant new hands were given employment which is unjust unfair and against the provisions of Section 25-H of the Industrial Disputes Act, 1947. The names of the new persons who were given work after refusal of work to the applicant are Sri C. B. Singh, at Kalpi Road Branch, Kanpur, Sri R.C. Pal at Chamanganj Branch at Kanpur, Sri Ramesh Shukla at Deputy Ka Parao Branch the bank. In this continuation the applicant has also filed the list of persons junior and new appointments vide paper no. 14/5 through Rejoinder. It is averred that it shows that there were requirements of guards but the applicant has been refused work. The applicant wrote a letter on 14-02-1999 under registered cover to the employer to give work to the applicant but no reply received. Therefore the applicant been refused work for no reason but due to high handedness and exploitation.

4. Therefore, he had made a prayer that the applicant be declared regular employee of the bank and be paid scale wages applicable to the guard. He has also prayed that the order be issued to the opposite party to give work and to pay wages and other benefits to the applicant for the period he remained unemployed.

5. The opposite party bank has contested the claim of the applicant and had filed the written statement vide paper no. 10/1 to 10/11.

6. In the written statement they have raised preliminary objection, inter-alia- on the ground that the reference is bad in the eye of law; that there exists on industrial dispute nor is apprehended; that the applicant has wrongly impleaded the Chief General Manager, State Bank of India, L.H. O. and Deputy General Manager, Kanpur as defendants. None of them is directly and indirectly is concerned with the industrial dispute raised by the applicant; that the claim of the applicant appears to be for being given status of a protected employee because of the alleged continuation of service for one year by virtue of work for more than 240 days in 12 calendar months preceding the day with reference to which calculation has to be made as per Section 25-(B) (a) read with Section 25F of Industrial Disputes Act, 1947. The applicant was never in continuous service of the bank for 240 days or more consequently he is not entitled to prefer the claim. As per provisions of Section 2(o) (bb) of the Act the applicant is not entitled to claim any protection under Section 25-B of 25-F of the Act. There is no relationship of Master and servant or employer and employee between the applicant and the management.

7. The applicant was a badly guard on leave vacancy purely on temporary and ad-hoc requirement and irregular intervals. The applicant had suppressed material fact that he himself had applied to be engaged as Badli Guard. He was fully aware of the nature of his engagement, selection of the applicant was never made on regular basis. Neither any test nor interview was ever conducted in respect of the employment of the applicant. Requisition made by the bank from DSWO was also for Badly Guard on temporary basis on 5-5-1997. The applicant had himself given and requested to be appointed as Badli Guard and the application dated 5-5-1996 is annexed as D/1 to the written statement.

8. The applicant had worked certain period during September 1988 to Feb. 1999 with Kalpi Road Branch Kanpur. Thereafter for a period of 31 days he had worked during Feb. 1989 to June 1989 at the Chamanganj Branch and thereafter for 15 days he and worked at Deputy Ka Parao Branch, Kanpur, as per his own admission made in the application dated 5-5-97 filed with GT Raod Kanpur Branch. Thereafter with effect from 6-5-1997, he had worked for certain intervals upto January 1991, the details of which are given hereunder-

| | | |
|-------------|------------------------------|-----|
| Year - 1997 | Total period of working days | 141 |
| Year - 1997 | DO | 122 |
| Year - 1999 | DO | 4 |

9. Sri Ram Lotan Singh was a permanent guard who had proceeded on medical leave on different intervals and in his absence the applicant was asked to work as Badli Guard. His services were utilized as and when proceeded on leave at G.T. Road Branch, Kanpur, or out of station from his duties. Thereafter on retirement of Ram Lotan another permanent employee namely Rajendra Yadav joined on transfer as such service of Badli Guard were not required. It is denied that the applicant was reporting at the branch since 5-1-1999. It is specifically denied that any new hands have been employed by the answering defendant. It is submitted that during the engagement of the applicant as Badli Guard the official of the bank found him facing hard hearing problems and the applicant was asked to submit the discharge certificate as well as doctors certificate in this regard which he has failed. The security is a sensitive and important matter and if the person is hard hearing he could not discharge his duties effectively. Consequently he has not been engaged as Badli Guard by the opposite party.

10. In documentary evidence the claimant adduced evidence vide list no. 18/1. He has filed 25 documents—

- (i) Discharge certificate of the applicant.
- (ii) Certificate of the Bank dated 14-8-91
- (iii) Certificate of the bank dated 8-5-91.
- (iv) Notice of the bank published in the paper.
- (v) Notice of the bank published in the New paper
- (vi) Receipt of post office for Regd. A.D letter.
- (vii) Acknowledgement.
- (viii) Application of the applicant.
- (ix) Bankers cheque dated 4-6-97 for Rs. 1480.
- (x) Bankers cheque dated 2-7-97 for Rs. 3300.
- (xi) Bankers cheque dated 11-09-97 for Rs. 1295.
- (xii) Bankers cheque dated 9-10-97 for Rs. 3953/57.
- (xiii) Bankers cheque dated 23-12-97 for Rs. 657.
- (xiv) Letter of the applicant dated 25-07-98
- (xv) Letter of the applicant. 3-9-98.
- (xvi) Letter dated 13-10-98 of the applicant.
- (xvii) Letter dated 24-11-98 of the applicant.
- (xviii) Letter of the applicant dated 1-1-99.
- (xix) Letter of the applicant dated 25-1-99.
- (xx) Letter of the applicant dated 14-2-99.

(xxi) Postal receipt of the letter.

(xxii) Application of the applicant dated 24-3-99 filed before the ALC (c) Kanpur.

(xxiii) Bank reply of the above.

(xxiv) Certificate dated 17-12-92 issued by employer.

11. The opposite party bank has filed two documents vide list paper no. 33/1 the documents are 32/1 as misc. letter dated 6-3-2000, and the copy of conciliation which paper no. 31/1.

12. I have heard both the parties at length and perused the records deeply.

13. The reference sent by the Government of India is like this—

Whether the action of the Deputy General Manager, State Bank of India, Kanpur, in terminating the services of Sri Yogendra Singh with effect from 5-1-1999 is legal and justified? If not to what relief the workman is entitled for?

14. In this case the applicant has alleged that he was appointed by the opposite party bank as guard against a clear existing, permanent vacancy after following the set recruitment procedure. He was interviewed and his name was sent by DSWO. He worked at Kalpi Road Kanpur Branch from Sept. 1988 to Feb 1989, at Chamanganj Branch from Feb. 1989 to June 1989 at Deputy Ka Parao Branch, from March 1991 to March 1996 and at G. T Road Branch, from April 1997 to Jan. 1999. He also alleged that due to high handedness and exploitive attitude he was not given any appointment letter by the opposite party bank and due to the high handedness he was treated as Badli Gaurd, therefore, he claims that he be employed on a regular post and he had been refused to do the work after 5-1-99. He sought that he be declared regular employee of the bank and he be paid scale wages applicable to guards.

15. Against the claim of the claimant, opposite party stated that the applicant was not employed against a permanent, clear and existing vacancy. The applicant was engaged as Badli Guard purely on temporary leave vacancy at irregular intervals. He was fully aware of the nature of his engagement. The opposite party bank is a statutory body and while giving appointment to any person they have to follow the prescribed selection procedure. Selection of the applicant was never made on regular basis. Neither any test nor interview was ever conducted in respect of his employment. Requisition made by the bank from DSWO was also for Badly Guard. The applicant had himself given and requested to the bank to be appointed as

badly guard and the application dated 5-5-97 is annexed as D-1.

16. Now it is set principle of evidence that one who alleges a fact the burden lies on his shoulder to prove the facts. Therefore, in this case the burden shall lie on the claimant himself to prove his case. He has examined himself as W.W.1. I have gone through his statement. In the examination in chief he himself admitted that he was appointed as badly guard and when ever any guard was sent on leave he was given the job in his place which is of badli guard. In the cross examination he admitted that the payments of the permanent guard is made through register, whereas his salary was paid by cheque. He also admitted that he was not entitled to medical and other leave as given to other permanent employees. He also admitted that he was not given any appointment letter at either branch i.e. Kalpi Road, Chamanganj, Deputy Ka Parao or G.T. Road Branch, Kanpur.

17. The claimant had also filed documentary evidence *vide* list paper no. 18/1. The opposite party bank has drawn my attention towards paper no. 18/16 to 18/22, in which Yogendra Kumar Singh the applicant himself has shown his status as badli guard. In paper no. 18/23 dated 14-2-99 the applicant had stated that he was not being given work since 5-1-99. Similar facts have been alleged in letter paper no. 18/25, dated 24-3-99. The opposite party contended that in none of these letters he has claimed that his services have been terminated. It is also contended by the opposite party that according to the applicant he had been on temporary engagement since Sept., 88 to Jan., 1999, but he never objected or wrote any letter that he has not been given appointment letter due to high handedness or exploitive nature of bank. The opposite party bank has specifically stated that Sri Ram Lotan Singh was a permanent guard and whenever he proceeded on medical leave on different intervals and in his absence the applicant was asked to work as Badli Guard.

18. Therefore, I considered both evidence adduced by the parties and narrated arguments before me. Now I have to see as to whether there is any relationship of master and servant or employer and employee in between the bank and the applicant. If there had been relationship of master and servant only then question of termination may arise. According to the evidence the applicant failed to establish that he was appointed against clear existing permanent vacancy on regular basis. He was not getting salary when he absented on medical ground or otherwise. He according to his own application and certificate filed by him shows that he was engaged at different branches at different intervals. It is also the contention of the opposite party bank that he was never engaged by Deputy General

Manager, State Bank of India, Kanpur. There was no advertisement by the Deputy General Manager inviting application for filling temporary or regular vacancy of guard. The applicant has failed to prove that due to exploitive nature or high handedness of opposite party he was not provided any appointment letter.

19. The applicant has mainly stressed that the opposite party has stated in their written statement that "during the engagement of the applicant as Badli guard the officials of the bank found him having hard hearing problem and the applicant was asked to submit discharge certificate and doctor's certificate but he was failed. The security is a sensitive and important matter if a person is hard hearing he cannot discharge his duties effectively, consequently he was not engaged as Badli Guard." Therefore, applicant claims that it amount to termination. The opposite party bank's authorized representative although does not put any stress on this para but even then I have gone through its verdict and meaning on its face and I do not find that the claimant claim any benefit from this stanza because first of all the claimant has to prove that he was employed on regular basis on a clear and existing vacancy. But he has not been able to establish this fact.

20. The applicant has also alleged that instead of giving employment to the applicant new hands were given employment which is unjust and unfair and against the provisions of section 25-H of the Industrial Disputes Act, 1947. He has stated the names of persons who were given work after refusal of work to the applicant are Sri C. B. Singh at Kalpi Road Branch, Sri R. C. Pal, Chamanganj Branch Kanpur and Sri Ramesh Shukla at Deputy Ka Parao Branch of the opposite party Bank.

21. The opposite party bank had produced Shashi Prabha as M. W. 1 in her oral evidence she stated that Ram Lotan Singh was a permanent guard in the bank and he superannuated and thereafter one Sri Rajendra Yadav on transfer joined in place of Sri Ram Lotan. She specifically stated that no new hands recruitment was made after the termination of the service of the claimant. This is the case of the opposite party bank in their pleadings also. In this regard I have perused the evidence of the applicant (W.W.1) he has not stated in his examination in chief specifically that he has been retrenched and in his place new appointments have been made. He simply stated that Ram Lotan who was employed as permanent guard retired in the year 1997. In this way he himself has admitted specifically that Ram Lotan was a permanent guard and retired in the year 1997. In these circumstances how the opposite party can give appointment against single post to two persons. After the retirement of Sri Ram Lotan the

post was filled by the higher authorities on transfer basis. I do not find that there is any unfair practice adopted by the bank. Therefore, the applicant is also not entitled to any benefit of section 25-F of the Act. To claim the benefit of this section 25-F of the Act and to claim termination amounting to retrenchment, first there should exist master and servant relationship between the employer and the workman. As per rule there cannot be legal relationship of master and servant as held in Koodamji Service Cooperative Bank Limited versus MM Lissy 1993 (67), FLR 1039, Kerala.

22. The applicant has based his case on one ruling [(2008)(85)FLR 197] Supreme Court, Civil Appeal No. 1965 of 2000 between V. P. Ahuja and State of Punjab and another.

23. In this ruling of the Hon'ble Apex Court, the Hon'ble Supreme Court held that a probationer is like a temporary servant is also entitled to certain protection and his service could not be terminated in a punitive manner without applying with the principle of natural justice. I respectfully agree with the principle laid down by the Hon'ble Apex Court. But in the present case facts are not similar. Appointment of a probationer is against an existing vacancy and that too he was appointed by following the selection procedure. Opposite party bank has placed its reliance on a number of cases are civil appeal no. 7 of 2006 Regional Manager State Bank of India versus R. K. Tiwari. 206 Lab IC 4046 SC (A), 2007 Lab IC page 987 SC. Civil Misc Writ Petition No. 19894 of 2007 Deputy General Manager, State Bank of India, Varanasi versus Presiding Officer, CGIT, Kanpur. In 209 Lab IC 866 SC in between State of Himanchal Pradesh and others versus Ravinder Singh and the authorize representative for the bank has also given list of other rulings in his written arguments. I have gone through the principle of law laid down by the Hon'ble High Court and the Apex Court. I respectfully agree with the principles. In the aforesaid Civil Appeal no. 7 of 2006, the Hon'ble Supreme Court held - what is unfair labour practice [it is defined in clause (ra) of section 2 of the Act as meaning any of the practice specified in the Vth Schedule]. It is held that to employ workman as badly casual or temporary and continue them as such for years with the object of depriving them of the status and privileges of permanent workman. But there is no such evidence here in this case that the applicant was being employed with the object of depriving him of the status of a permanent workman. Therefore, the claimant cannot claim the benefit of retrenchment also. Word 'retrenchment' has been defined in section 2 (oo) of the Act. I have also discussed that the status of the applicant is not of permanent nature. It is also said by the opposite party that the applicant had not worked for 240

days continuously therefore he cannot take the benefit under this provision also. The applicant admitted in his cross-examination that in the year 1999, he did not work continuously for 240 days in the preceding 12 calendar month at G. T. Road Branch of the bank at Kanpur. The authorized representative for the applicant has not raised any arguments in this respect before me. The opposite party bank has stated that in the year 1997 total period of working days of the applicant comes to 141 and in the year 1998 period of his working days is 122 and in year 1999 he worked for 4 days only. Therefore, he did not work for 240 days in the 12 calendar months. The applicant has also filed certificate which is paper no. 18/3 and 18/4 wherein he has been shown to have worked from September, 88 to Feb., 89 for 95 days and Feb., 89 to June, 89 for 30 days. It is also the contention of the opposite party that the applicant has never alleged in his letter dated 5-1-99 that his services have been terminated but he alleged that he is not being given work. It is also the contention of the opposite party bank that no industrial dispute exists in between the parties, therefore, the DGM SBI, Kanpur has been made unnecessary party.

24. As I have already said that there is no advertisement or requisition on behalf of DGM, SBI Kanpur, therefore, the DGM, SBI Kanpur does not appear to be a proper party. I am, therefore, of the view that the applicant has fully failed to establish his case, therefore, the reference is answered in negative against the applicant and in favour of the management of State Bank of India. It is further held that the applicant will not be entitled for any relief as claimed by him pursuant to the present reference.

25. Reference is answered accordingly.

RAM PARKASH, Presiding Officer

नई दिल्ली, 7 सितम्बर, 2009

का.आ. 2723-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण लखनऊ के पंचाट (संदर्भ संख्या 102/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-9-2009 को प्राप्त हुआ था।

[सं. एल-40012/52/2004-आई.आर. (डी. यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 7th September, 2009

S.O. 2723—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 102/2004) of the Central Government Industrial Tribunal-cum-Labour

Court, Lucknow as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 7-9-2009.

[No. L-40012/52/2004-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, LUCKNOW**

Present: N. K. Purohit, Presiding Officer

I. D. No. 102/2004

Ref. No. L-40012/52/2004-IR (DU) dated: 5-10-2004

BETWEEN

Sh. Bal Chander Sahani,
S/o Late Sh. Kharphatu Sahani, Vill. Nakta,
Post Madria, Tehsil Bashgaun,
Gorakhpur

AND

1. The Chief General Manager,
Telecommunication, East, Lucknow/
The Principal General Manager,
Pee Kay Bhawan, Lucknow.

2. The Telecom District Manager,
Telecom Deptt. BSNL,
Bahraich - 271865.

AWARD

28-8-2009

1. By order No. L-40012/52/2004-IR (DU) dated 5-10-2004 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between Sh. Bal Chander Sahani, S/o Late Sh. Kharphatu Sahani, Vill. Nakta, Post Madria Tehsil Bashgaun, Distt. Gorakhpur and the Chief General Manager, Telecommunication, East, Lucknow/The Principal General Manager, Pee Kay Bhawan, Lucknow, the Telecom District Manager, Telecom Deptt. BSNL, Bahraich - 271865 for adjudication.

2. The reference under adjudication is:

“Whether the action of the management of Bharat Sanchar Nigam Ltd., Bahraich in terminating the services of Shri Bal Chandra Sahani S/o Late Shri Kharphatu Sahani, daily labour w.e.f. 31-7-2001 is legal

and justified? If not, to what relief the workman is entitled?”

3. The case of the workman, Bal Chandra Sahani, in brief is that the workman was engaged by the management of BSNL, in August, 1998 as a daily wages casual labourer (Class IV post) in serious exigency of departmental work and since then he was working on said post and has worked for more than 240 days in the preceding years. The workman has alleged that the management of the BSNL has orally terminated his services w.e.f. 31-7-2001, without any valid reason in absolutely illegal, arbitrary, malafide and discriminatory manner without affording any opportunity of hearing to the workman. The workman has further stated that in absence of regular appointments, the telecom department has been engaging daily wages casual labourers from time to time to meet the exigency of the work. It is alleged by the workman that he has not been given temporary status even after being recommended for the same, whereas the Department has granted temporary status and consequential benefits to similarly situated daily rated casual labourers w.r.t. Memo No. 117/Ch II/TDM/BRH/Casual Labour/II dated 18-7-2000 of Department of Telecommunications, Office of the Telecom District Manager, Bahraich. The workman has also alleged that the management of BSNL has violated various provisions of the Industrial Disputes Act, 1947 i.e. Section 25 N for non-conduction of any inquiry against him or service of any charge-sheet, as well as for non-payment of any notice pay or retrenchment compensation, Section 25 G for retaining and continuing juniors in service and section 25H for engaging new persons without affording any opportunity to the workman for employment. Thus, the workman has prayed that the management of BSNL be directed to consider the case of the workman, to take him back in the service with back wages, to provide him temporary status with consequential benefits and to provide him bonus.

4. The management of the BSNL, in its written statement, has disputed the claim of the workman and has submitted that it never engaged the workman in any capacity in the August, 1988 or subsequently, hence there arise no question of having completed 240 days of service or alleged oral termination of the services of the workman or of violation of any of the provisions of the Industrial Disputes Act, 1947 at all. Regarding engagement of the workman on daily wages, the management has mentioned that there was a complete ban on engagement of fresh Casual Labourers/Daily Wagers in the Department w.e.f. 12-6-1988. The management of BSNL has submitted that earlier the Casual Labours were engaged on muster roll, but consequent to ban on engagement of Casual Labours/Daily Wagers w.e.f. June,

1988 no fresh labour has been engaged on muster roll and also, the labours, who were earlier working on muster roll and were covered under grant of temporary status and regularization scheme, have been granted temporary status. The case of the workman does not fall within that category because he was never engaged by the management in any capacity altogether. Thus, the management has prayed that the claim of the workman be rejected being incorrect and misconceived since he was never engaged or appointed in the management of BSNL in any capacity.

5. The workman has filed rejoinder whereby it has only reiterated his averments in the statement of claim and has not introduced any new fact.

6. The workman has filed photo copies of certain documents, less any appointment order, with his statement of claim, in support of his case whereas the management has not filed any documents with written statement, although it has disputed the authenticity of the documents filed by the workman.

7. The workman has not examined himself in support of his claim. It reveals from the proceedings of the case that despite several opportunities given to the workman he did not appear for evidence therefore, presumption was drawn on 28-10-2000 that he does not want to produce evidence in support of his claim and the case was fixed for evidence of the opposite party. On 2-1-2007 affidavit of Sh. Ram Charan, Divisional Engineer (HQ) Telecom District Manager, Bahraich was filed but he has not been cross-examined by the workman side. It also reveals that subsequently an application C-20 was filed by the representative on behalf of the workman to recall the ex-party order dt. 28-10-2006 but on subsequent dates none appeared on behalf of the workman and ultimately the application was rejected on 17-6-2009 and case was fixed for argument but on the date of argument neither workman or his representative nor the representative on behalf of the management appeared, therefore, the case was reserved for award.

8. The management witness Sh. Ram Charan has stated in his affidavit that workman was neither appointed by the opposite party any class IV post nor he was engaged as daily wage. There was complete ban on the engagement of fresh casual labourers in the department w.e.f. 12-6-1988. He has further stated that documents annexed with the claim statement by the workman are not genuine document the SDE, Mithinpurwa in order to give some undue benefits to his kith and kin, has prepared some bogus documents. He has further submitted that SDE was not competent to engage any daily wage/casual labourer without approval of the competent authority.

9. It is well settled that if a party challenges the legality of order the burden lies upon him to prove illegality of the order and if no evidence is produced the

party-invoking jurisdiction of the court must fail. In the present case burden was on the workman to set out the grounds to challenge the validity of the termination order and to prove the alleged termination was illegal but the workman did not appear for evidence nor produced any other documentary evidence with the result that there is no material in rebuttal of the management evidence. It was the case of the workman that he had worked for more than 240 days in the year concerned. This claim has been denied by the management, therefore, it was for the workman to lead evidence to show that he had in fact worked up to 240 days in the year preceding his alleged termination. In (2002) 3 SCC 25 Range Forest Officer vs. S.T. Hadimani the Hon'ble Apex Court has observed as under :

"It was the case of the claimant that he had so worked but this claim was denied by the appellant. It was then for the claimant to lead evidence to show that he had in fact worked for 240 days in the year preceding his termination. Filing of an affidavit is only his own statement in his favour and that can not be regarded as sufficient evidence for any court or tribunal to come to the conclusion that a workman had, in fact worked for 240 days or order or record of appointment or engagement for that period was produced by the workman. On this ground alone, the award is liable to be set aside."

10. In the present case, the workman has even not examined himself on oath in support of his claim that he had worked for 240 days during the period as stated in his statement of claim. He has not produced any original documents in support of his claim moreover, the genuineness of photocopies of the documents submitted by the workman has been questioned by the opposite party. Merely pleadings are no substitute for proof. Initial burden of establishing the fact of continuance work for 240 days in preceding 12 months from the date of his alleged termination was on the workman but he has failed to discharge above burden, therefore, in view of the aforementioned legal position there is no material for recording findings that workman had worked more than 240 days in the preceding year and the alleged unjust order of termination was ever passed by the management.

11. Thus, the workman is not entitled for any relief as claimed by him. The reference under adjudication is answered accordingly.

12. Award as above.

Lucknow
28-8-2009

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 7 सितम्बर, 2009

का.आ. 2724.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण लखनऊ के पंचाट (संदर्भ संख्या 90/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-9-2009 को प्राप्त हुआ था।

[सं. एल-40012/37/2004-आई. आर. (डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 7th September, 2009

S.O. 2724.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 90/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workmen, which was received by the Central Government on 7-9-2009.

[No. L-40012/37/2004-IR(DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, LUCKNOW**

Present : N.K. Purohit, Presiding Officer

I.D. No. 90/2004

Ref. No. L-40012/37/2004-IR(DU) dated : 16-8-2004

BETWEEN

Sh. Diwakar S/o Sh. Sudarshan

Sarswat Nagar,

Bahraich (U.P.)

And

1. The Chief General Manager,

Telecom. UP Circle

Hazratganj, Lucknow

2. The Telecom District Manager,

Telecom Deptt. BSNL

Bahraich-271865

AWARD

28-8-2009

I. By Order No. L-40012/37/2004-IR (DU) dated 16-8-2004 the Central Government in the Ministry of Labour, New Delhi in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between Sh. Diwakar S/o Sh. Sudarshan, Saraswat Nagar, Bahraich and the Chief General Manager, Telecom UP Circle, Hazratganj, Lucknow, the Telecom District Manager Telecom Deptt. BSNL, Bahraich-271865 for adjudication.

2. The reference under adjudication is :

“Whether the action of the management of Bharat Sanchar Nigam Limited, Bahraich in terminating the services of Sh. Diwakar S/o Sh. Sudarshan, casual Mazdoor 31-7-2001 is legal and justified? If not to what relief the workman is entitled?”

3. The case of the workman, Sh. Diwakar, in brief is that the workman was engaged by the management of BSNL, in August, 1998 as a daily wages casual labourer (Class IV post) in serious exigency of departmental work and since then he was working on the said post and has worked for more than 240 days in the preceding years. The workman has alleged that the management of the BSNL has orally terminated his services w.e.f. 31-7-2001, without any valid reason in absolutely illegal, arbitrary, malafied and discriminatory manner without affording any opportunity of hearing to the workman. The workman has further stated that in absence of regular appointments, the telecom department has been engaging daily wages casual labourers from time to time to meet the exigency of the work. It is alleged by the workman that he has not been given temporary status even after being recommended for the same, whereas the Department has granted temporary status and consequential benefits to similarly situated daily rated casual labourers w.r.t. Memo No. 117/Ch II/TDM BRH/Casual Labour/II dated 18-7-2000 of department of Telecommunications, Office of the Telecom District Manager, Bahraich. The workman has also alleged that the management of BSNL has violated various provisions of the Industrial Disputes Act, 1947 i.e. Section 25N for non-conduction of any inquiry against him or service of any charge sheet, as well as for non-payment of any notice pay or retrenchment compensation, Section 25G for retaining and continuing juniors in service and Section 25H for engaging new persons without affording any opportunity to the workman for employment. Thus, the workman has prayed that the management of BSNL be directed to consider the case of the workman, to take him back in the service with back wages, to provide him temporary status with consequential benefits and to provide him bonus.

4. The management of the BSNL, in its written statement, has disputed the claim of the workman and has submitted that it never engaged the workman in any capacity in the August, 1988 or subsequently, hence, there arise no question of having completed 240 days of service or alleged oral termination of the services of the workman or of violation of any of the provisions of the Industrial Disputes Act, 1947 at all. Regarding engagement of the workman on daily wages the management has mentioned that there was a complete ban on engagement of fresh Casual Labourers/Daily Wagers in the department w.e.f. 12-6-1988. The management of BSNL has submitted that earlier the Casual Labours were engaged on muster roll, but consequent to ban on engagement of Casual Labours/Daily Wagers w.e.f. June, 1988 no fresh labour has been engaged on muster roll and also, the labours, who were earlier working on muster roll and were covered under

grant of temporary status and regularization scheme, have been granted temporary status. The case of the workman does not fall within that category because he was never engaged by the management in any capacity altogether. Thus, the management has prayed that the claim of the workman be rejected being incorrect and misconceived since he was never engaged or appointed in the management of BSNL in any capacity.

5. The workman has filed rejoinder whereby it has only reiterated his averments in the statement of claim and has not introduced any new fact.

6. The workman has filed photo copies of certain documents, less any appointment order, with his statement of claim, in support of his case whereas the management has not filed any documents with written statement, although it has disputed the authenticity of the documents filed by the workman.

7. The workman has not examined himself in support of his claim. It reveals from the proceedings of the case that despite sufficient opportunities given to the workman he did not appear for evidence in support of his claim, therefore, presumption was drawn on 14-7-2005 that he did not want to produce evidence in support of his claim and the case was fixed for evidence of the opposite party. In support of its case the management has submitted affidavit of Sh. Ram Charan Divisional Engineer (HQ) Telecom District Manager, Bahraich but he has not been cross examined by the workman side. It also appears that C-20 was moved on behalf of the workman to recall the earlier order dated 14-7-2005. In the interest of justice *vide* order dated 23-3-2006 an opportunity was given to the workman to produce his evidence but he did not appear and again on 23-10-2006 presumption was drawn that worker did not want to produce evidence and case was fixed for evidence of the opposite party. Subsequently, application C-26 was moved on behalf of the workman to recall the order dated 23-10-2006 and *vide* order dated 13-2-2007, the earlier order dated 23-10-2006 was recalled and further opportunity was given to the workman to adduce his evidence despite this he did not avail the opportunity and ultimately, the case was fixed for argument. But on the said date neither the workman nor the representative on behalf of the management appeared, therefore, the case was reserved for award.

8. The management witness Sh. Ram Charan has stated in his affidavit that workman was neither appointed by the opposite party on any Class IV post nor he was engaged as daily wager. There was complete ban on the engagement of fresh casual labourers in the department w.e.f. 12-6-1988. He has further stated that documents annexed with the claim statement by the workman are not genuine document; The SDE, Mithinpurwa in order to give some undue benefits to his kith and kin, has prepared some bogus document. He has further submitted that SDE

was not competent to engage any daily wager/casual labourer without approval of the competent authority.

9. It is well settled that if a party challenges the legality of order the burden lies upon him to prove illegality of the order and if no evidence is produced the party-invoking jurisdiction of the court must fail. In the present case burden was on the workman to set out the grounds to challenge the validity of the termination order and to prove the alleged termination was illegal but the workman did not appear for evidence nor produced any other documentary evidence with the result that there is no material in rebuttal of the management evidence. It was the case of the workman that he had worked for more than 240 days in the year concerned. This claim has been denied by the management therefore, it was for the workman to lead evidence to show that he had in fact worked upto 240 days in the year preceding his alleged termination. In (2002) 3 SCC 25 Range Forest Officer vs. S.T. Hadimani the Hon'ble Apex Court has observed as under :

"It was the case of the claimant that he had so worked but this claim was denied by the appellant. It was then for the claimant to lead evidence to show that he had in fact worked for 240 days in the year preceding his termination. Filing of an affidavit is only his own statement in his favour and that can not be regarded as sufficient evidence for any court or tribunal to come to the conclusion that a workman had, in fact worked for 240 days or order or record of appointment or engagement for that period was produced by the workman. On this ground alone, the award is liable to be set aside."

10. In the present case, the workman has even not examined himself on oath in support of his claim that he had worked for 240 days during the period as stated in his statement of claim. He has not produced any original documents in support of his claim moreover, the genuineness of photocopies of the documents submitted by the workman has been questioned by the opposite party. Merely pleadings are no substitute for proof Initial burden of establishing the fact of continuance work for 240 days, in preceding 12 months from the date of his alleged termination was on the workman but he has failed to discharge above burden, therefore, in view of the aforementioned legal position there is no material for recording findings that workman had worked more than 240 days in the preceding year and the alleged unjust order of termination was ever passed by the management.

11. Thus, the workman is not entitled for any relief as claimed by him. The reference under adjudication is answered accordingly.

12. Award as above.

Lucknow

28-08-2009

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 7 सितम्बर, 2009

का.आ. 2725.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लखनऊ के पंचाट (संदर्भ संख्या 88/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-9-2009 को प्राप्त हुआ था।

[सं. एल-40012/33/2004-आई आर (डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 7th September, 2009

S.O. 2725.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 88/2004) of the Central Government Industrial Tribunal/Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workmen, which was received by the Central Government on 7-9-2009.

[No. L-40012/33/2004-IR(DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

Present : N. K. Purohit, Presiding Officer.

I. D. No. 88/2004

Ref. No. L-40012/33/2004-IR(DU) dated : 16-8-2004

BETWEEN

Sh. Brijesh Saroj S/o Sh. Dukhanti Prasad
Shivalya Bagh, By-Pass Road,
The. Nanpara Bahraich (U.P.)

AND

1. The Chief General Manager
Telecom. UP Circle
Hazratganj, Lucknow
2. The Telecom District Manager,
Telecom Deptt. BSNL
Bahraich-271865.

AWARD

28-08-2009

1. By order No. L-40012/33/2004-IR(DU) dated: 16-08-2004 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between Sh. Brijesh Saroj, S/o Sh. Dukhanti Prasad, Shivalya Bagh, By-Pass Road, The. Nanpara, Bahraich and the Chief General Manager,

Telecom. UP Circle Hazratganj, Lucknow, the Telecom District Manager, Telecom Deptt. BSNL, Bahraich-271865 for adjudication.

2. The reference under adjudication is :

“Whether the action of the management of Bharat Sanchar Nigam Limited, Behraich in Terminating the Services of Sh. Brijesh Saroj S/o Sh. Dukhanti Prasad, Daily Wager w.e.f. 08-10-2001 is Legal and Justified ?”
If not, to what relief the Workman is entitled ?”

3. The case of the workman, Sh. Brijesh Saroj, in brief is that the workman was engaged by the management of BSNL, in April 2000 as a daily wage casual labourer (Class IV post) in serious exigency of departmental work and since then he was working on the said post and has worked for more than 240 days in the preceding years. The workman has alleged that the management of the BSNL has orally terminated his services w.e.f. 08-10-2001, without any valid reason in absolutely illegal, arbitrary, malafied and discriminatory manner without affording any opportunity of hearing to the workman. The workman has further stated that in absence of regular appointments, the telecom department has been engaging daily wages casual labourers from time to time to meet the exigency of the work. It is alleged by the workman that he has not been given temporary status even after being recommended for the same, whereas the Department has granted temporary status and consequential benefits to similarly situated daily rated casual labourers w.r.t. Memo No. 117/ Ch II/TDM BRH/Casual Labour/II dated 18-7-2000 of department of Telecommunications, Office of the Telecom District Manager, Bahraich. The workman has also alleged that the management of BSNL has violated various provisions of the Industrial Disputes Act, 1947 i.e. Section 25 N for non-conduction of any inquiry against him or service of any charge sheet, as well as for non-payment of any notice pay or retrenchment compensation, Section 25 G for retaining and continuing juniors in service and Section 25H for engaging new persons without affording any opportunity to the workman for employment. Thus, the workman has prayed that the management of BSNL be directed to consider the case of the workman, to take him back in the service with back wages to provide him temporary status with consequential benefits and to provide him bonus.

4. The management of the BSNL, in its written statement, has disputed the claim of the workman and has submitted that it never engaged the workman in any capacity in the April 2000 or subsequently, hence, there arise no question of having completed 240 days of service or alleged oral termination of the services of the workman or of violation of any of the provisions of the Industrial Disputes Act, 1947 at all. Regarding engagement of the workman on daily wages the management has mentioned that there was a complete ban on engagement of fresh

Casual Labourers/Daily Wagers in the Department w.e.f. 12-06-1988. The management of BSNL has submitted that earlier the Casual Labours were engaged on muster roll, but consequent to ban on engagement of Casual Labourers/Daily Wagers w.e.f. June, 1988 no fresh labour has been engaged on muster roll and also, the labours, who were earlier working on muster roll and were covered under grant of temporary status and regularization scheme, have been granted temporary status. The case of the workman does not fall within that category because he was never engaged by the management in any capacity altogether. Thus, the management has prayed that the claim of the workman be rejected being incorrect and misconceived since he was never engaged or appointed in the management of BSNL in any capacity.

5. The workman has filed rejoinder whereby it has only reiterated his averments in the statement of claim and has not introduced any new fact.

6. The workman has filed photocopies of certain documents, less any appointment order, with his statement of claim, in support of his case whereas the management has not filed any documents with written statement, although it has disputed the authenticity of the documents filed by the workman.

7. The workman has examined himself in support of his claim. He has stated in his statement on oath that he had worked as Engine Operator from April 2000 to August 2001 at Mithinpurwa and he had also performed the work of Exchange Fault Repairer as Casual Labour. He was getting Rs. 1200/- per month as salary and payments have been made to him by ACG-17 vouchers as such he had worked more than 240 days. In cross-examination he has stated that his father was SDE and he had appointed him and his cousin Amarnath by oral orders but subsequently disengaged him due to pressure of the superior officer. He was terminated in Oct. 2001 but exact date is not known to him. In his evidence he has not referred and proved any document though he has filed photocopies of the following documents :—

1. Letter written by SD Telecom, Mithinpurwa, Bahraich dt. 16-2-2001 addressed to the DET, Bahraich alongwith copy of revised proforma said to be given by the workman (4/17 & 4/18).
2. Copy of the order of DET, Telecom District Manager, Bahraich dt. 18-7-2000 regarding granting of temporary status to 14 other casual labourers mentioned therein (4/19).
3. Photocopy of letter dt- 8-6-2001 said to be written by SDE Telecom, TDE, Bahraich for considering the six other casual labourers for regularization (4/21).

4. Letter written by DGM(Admn.) to Asstt. Director General, BSNL regarding regularization of labourer left out cases alongwith list which is not legible (4/26).

8. The management witness Sh. Ram Charan has stated in his affidavit that workman was neither appointed by the opposite party any class IV post nor he was engaged a daily wager. There was complete ban on the engagement of fresh casual labourers in the department w.e.f. 12-6-1988. He has further stated that documents annexed with the claim statement by the workman are not genuine document the SDE, Mithinpurwa in order to give some undue benefits to his kith and kin, has prepared some bogus documents. He has further submitted that SDE was not competent to engage any daily wager/casual labourer without approval of the competent authority.

9. It is well settled that if a party challenges the legality of order the burden lies upon him to prove illegality of the order and if no evidence is produced the party-invoking jurisdiction of the court must fail. In the present case burden was on the workman to set out the grounds to challenge the validity of the termination order and to prove the alleged termination was illegal. It was the case of the workman that he had worked for more than 240 days in the year concerned. This claim has been denied by the management therefore, it was for the workman to lead evidence to show that he had in fact worked upto 240 days in the year preceding his alleged termination. In (2002) 3 SCC 25 Range Forest Officer vs S. T. Hadimani the Hon'ble Apex Court has observed as under :

"It was the case of the claimant that he had so worked but this claim was denied by the appellant. It was then for the claimant to lead evidence to show that he had in fact worked for 240 days in the year preceding his termination. Filing of an affidavit is only his own statement in his favour and that can not be regarded as sufficient evidence for any court or tribunal to come to the conclusion that a workman had, in fact, worked for 240 days or order or record of appointment or engagement for that period was produced by the workman. On this ground alone, the award is liable to be set aside."

10. In the present case the workman has examined himself but it reveals from his evidence that he was appointed by oral order by his father who was working as SDE by oral order, no appointment letter was ever issued to him. The workman has not adduced any documentary evidence as regard payment of his alleged salary i.e. Rs. 1200/- per month. The documents letter dt. 18-7-2001 (4/19) letter dt. 8-6-2001 (4/21) are not pertaining to the workman and list of the casual worker which has been enclosed

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with the letter said to be written by the DGM to Asstt. Director General is not legible. The letter dt 16.2-2001 of SDE Telecom is photo copy and the said document has not been referred & proved by the workman. Moreover, the genuineness of the copies of the documents filed by the workman has been questioned by the opposite party. In such circumstances burden was on the workman to prove the disputed documents but he has failed to do so. Accordingly to principle laid down by Hon'ble Apex Court in the aforementioned case law, filing of affidavit is only his own statement in his favour and that can not be considered as sufficient evidence. The burden of establishing the facts of continuance work of 240 days in preceding 12 months from the date of his alleged termination was on the workman but he has failed to discharge above burden therefore, in view of aforementioned legal position there is no sufficient material for recording finding that workman had continuously worked more than 240 days in preceding year and the alleged unjust order of termination was ever passed by the management.

11. Thus, the workman is not entitled for any relief as claimed by him. The reference under adjudication is answered accordingly.

12. Award as above.

LUCKNOW

28-08-2009

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 10 सितम्बर, 2009

का.आ. 2726.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.पी.डब्ल्यू.डी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, नई दिल्ली के पंचाट (संदर्भ संख्या 88/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-9-2009 को प्राप्त हुआ था।

[सं. एल-42011/52/2006-आई. आर. (डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 10th September, 2009

S.O. 2726.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 88/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of C.P.W.D. and their workman, which was received by the Central Government on 10-9-2009.

[No. L-42011/52/2006-IR(DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE DR. R. K. YADAV PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM-LABOUR COURT NO. 1, NEW DELHI,
KARKARDOOMA COURTS COMPLEX, DELHI**

I. D. No. 88/2006

Shri Nanu Ram S/o Shri Algu Ram,
R/o 507, Sector 7,
R.K. Puram, New Delhi.

... Workman

Versus

The Executive Engineer (C),
C.P.W.D. Parliamentary Works Division III,
I. P. Bhawan. New Delhi.

... Management

AWARD

Nanu Ram joined as daily rated mason with C.P.W.D. on 6-12-80. He rendered continuous service with the management till 12-2-86, the date when his services were regularized. He presents that the Apex Court in *Surender Singh Vs. Engineer in Chief CPWD*, decided on 17-1-86, has ruled that all daily rated workmen be regularized in service from the date of their initial employment, in case they have put in six months of continuous service. Instructions, issued by D.G. (Works) CPWD on 4-7-88, make it clear that a workman, who had performed continuous service for a period of two years in a particular category, is entitled to be regularized in that position. He presents that the management was under a bounden duty to regularize his service w.e.f. 6-12-80. He raised a demand in that regard, which was not complied with. Consequently, he raised an industrial dispute before the Conciliation Officer. Since conciliation proceedings failed, the appropriate Government referred the dispute to this Tribunal for adjudication vide Order No. L-420 11/52/2006(IR(DU) dated 08-11-2006 with following terms:

"Whether the demand of the All India CPWD(MRM) Karamchari Sangathan, Delhi for regularization of services of Shri Nanu Ram S/o Shri Algu Ram, Mason w.e.f. 6-12-1980 is legal and justified? If yes, to what benefits the workman is entitled to?"

2. Nanu Ram filed his claim statement, pleading therein that he was employed by the management as a mason on 6-12-80. He rendered continuous service with the management and his services were regularized on 12-2-86. Management was under an obligation to regularize his services from the date of his initial appointment, in the light of the precedent laid by the Apex Court in *Surender Singh's* case. He presents that the action of the management in not regularizing his services from the date of his initial appointment is illegal. He seeks regularization of his services from the date of his initial appointment, viz 6-12-80.

3. Management contests the claim petition pleading that the workman did not fulfil requisite qualification of

highly skilled artisan. He had not put in continuous service of 240 days. When he rendered continuous service for 240 days, his services were regularized w.e.f. 12-2-86. The precedent in Surender Singh's case is not applicable to him. It was claimed that Nanu Ram is not entitled for regularization in service from the date of his initial appointment.

4. During the course of adjudication, the management opted to regularize service of the workman from 6-12-80 for the purposes of earning gratuity etc. An entry in his service book was recorded to that effect. Nanu Ram made a statement on oath that since his services has been regularized by the management w.e.f. 6-12-80 for the purpose of gratuity and an entry has been recorded in his service book to this effect, copy of which is Ex.WW1/1, his claim stands satisfied. He claimed that an award may be passed, accordingly.

5. Perusal of Ex. WW 1/1 makes it clear that Nanu Ram rendered 296 days continuous service in the year 1981, 303 days continuous service in the year 1982, 308 days continuous service in the year 1983 and 557 days continuous service from 21-12-83 to 11-2-86. In his service book an entry was made to this effect, making it clear that the aforesaid service, rendered by Nanu Ram, shall be counted for the purpose of his gratuity. This entry, recorded by the management in the service book of the workman, could warm cockles of his heart. The workman felt satisfied and requests this Tribunal to make an award accordingly. In view of the aforesaid facts and statement made by the workman it is concluded that grievance between him and the management stands satisfied. Now there remains no dispute between the parties. An Award is accordingly passed. It be sent to the appropriate Government for publication.

DR. R. K. YADAV, Presiding Officer

नई दिल्ली, 10 सितम्बर, 2009

का.आ. 2727.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/41/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-9-2009 को प्राप्त हुआ था।

[सं. एल-40012/192/96-आई. आर. (डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 10th September, 2009

S.O. 2727.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/41/98) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the Industrial

Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 10-9-2009.

[No. L-40012/192/96-IR(DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/41/98

Presiding Officer : Shri Mohd. Shakir Hasan

Shri A. P. Parajwar,
At & PO : Pandharkawada,
Gandhi Ward, Teh. Kelapur,
Distt. Yavatmal (MS)

... Workman/Union

Versus

The Divisional Engineer, Telecom,
Long Distance, CTO Compound,
Nagpur (MS)

... Management

AWARD

Passed on this 24th day of August, 2009

1. The Government of India, Ministry of Labour vide its Notification No. L-40012/192/96-IR(DU) dated 20-2-98 has referred the following dispute for adjudication by this Tribunal :—

“Whether the action of the management of Divisional Engineer Telecom, Long Distance, Nagpur in dismissing Shri A.P. Parajwar, Driver from his services is legal and justified? If not, to what relief the workman is entitled to?”

2. The case of the workman in short is that the workman was appointed as Motor Driver on daily wage basis against permanent post w.e.f. 1-6-1979 and he met with an accident on 30-4-81 while on duty. After becoming fit, he went to resume his duty but he was informed orally that his service was terminated on his absence. He preferred a reference vide case No. CGIT/LC/R/31/1984 and this Court passed an award on 13-11-1984 declaring the termination as void and directed to reinstate with back wages. The workman is said to have resumed his duty on 7-5-86 and after seven days his service was again terminated on 13-5-1986 and a reference Case No. R/167/1987 was again filed before this Court and the award was passed on 24-4-1999 directing to be reinstated with full back wages and to consider for regularization and absorption against the permanent post.

3. The further case of the workman is that he was not allowed to join at Pandharkawada and was transferred to Yavatmal where he joined on 16-11-1992 on daily wages.

No action was taken for his absorption. From there, he was again transferred to Pusad without any reason to harass him. The Department of Telecommunication decided that all the drivers working in the units be treated as fixed duty staff and his duty hours was fixed from 10.00 AM to 6.00 PM without giving lunch break at least for half an hour. Thereafter the workman was served with a chargesheet in English as such, he requested to supply the same in Marathi version but the same was not supplied with a plea that in Courts, he has filed cases in English language. It is stated that enquiry was held on 26th & 27th September, 1995 and the enquiry report was submitted on 30-9-95. On the basis of the enquiry report, the Division Engineer dismissed the workman which is bad in law. The workman is said to have not regularized inspite of the order of the Hon'ble Court. On these grounds, it is submitted that the workman be reinstated with back wages.

4. The management appeared and filed reply (written statement). The case of the management, inter alia, is that the workman was always in a mood to agitate with the superior and was not performing his duty obediently. As such all the time, his service was terminated but due to technical lacunae the workman was reinstated. It is admitted that the workman was appointed on casual basis as Motor Driver in the Section of Optical Fibre Cable Sub-Division, Pusad since 10-11-94. It is stated that the department complied all the earlier orders of the Hon'ble Court but the workman was dismissed from his services for his own fault. It is stated that no vehicle was available at Pandharkawada and therefore transferred to Yavatmal and later Pusad and there was vacancy there. The further case of the management is that the workman was daily rated but after reinstatement, he refused to accept the monthly payment through Muster Roll. He also refused to perform duty after 10.00 to 18.00 hours. In very emergent work as such department was compelled to engage driver from outside to meet emergent cable fault causing heavy losses of revenue to the department. There were charges of habitual absentee, insubordination and rude behavior with the superior which led to the initiation of departmental enquiry and Shri V.S. Bathe SDE(Or) Pusad was appointed as Enquiry Officer who conducted the enquiry and gave full opportunity to defend himself. After enquiry, the Enquiry Officer found the charges proved and submitted enquiry report to the Disciplinary Authority. The enquiry report was communicated to the workman but no reply was given by the workman. The Disciplinary Authority after considering the report found the charges established against the workman and passed an order of dismissal. On these grounds, it is submitted that the reference be dismissed.

5. The preliminary issue that the enquiry conducted against the workman was legal and proper or not, was decided by the predecessor's Court vide order dated 6-7-2001 whereby it was held that the department enquiry conducted against the workman was not just and proper.

The Predecessor's Court directed the management to prove the alleged misconduct of the workman.

6. Now the important point for consideration is that as to whether the management has been able to prove the misconduct of the workman.

7. The management as well as the workman have adduced oral and documentary evidence in the case. Now let us examine the evidence of the management as the burden was on the management to prove the misconduct. The order dated 1-6-99 shows that the workman has admitted all the papers of the departmental enquiry (in short DE). It is an admitted fact that four charges were levelled against him. One of the charge was of insubordination. The management has filed the depositions of the witnesses namely Shri Sheoshanker Nagre, Shri Jogan Sukhdeo, Shri Basdeo Thakare and Shri Baliram Maske which are paper Nos. 10/6 to 10/11. The depositions of these witnesses are admitted by the workman. It is argued on behalf of the workman that these witnesses have not been examined in the case and the workman is highly prejudiced. I do not agree with the contention of the learned counsel for the workman because their depositions are already admitted which are deposed before the Enquiry Officer. The facts admitted is need not to be proved. These depositions appear to be admissible in law in view of the admission. The depositions clearly show that the witnesses had corroborated the charge of insubordination causing inconvenience in the performance of the duty to other officials and also losses of revenue to the department. The depositions prove the charge of insubordination which was a misconduct.

8. The management has also filed paper Nos. 25, 26, 28, 29 & 36 by which explanations were asked from the workman for disobeying the orders. These papers are also admitted by the workman. These letters of show cause further corroborates the case of insubordination of the workman.

9. The management has examined Shri Sadashiv Shinde as a witness. He is Sub-Divisional Engineer, Pusad. He has also supported this fact that the workman refused to obey the orders of the superiors and was habitual absentee. In cross-examination, he has stated that in the alleged period, he was not posted. It is urged that he has no personal knowledge and those who had personal knowledge had not been examined in the case. I find that no prejudiced is caused to the workman because the workman has admitted all the depositions of the witnesses which are examined before the Enquiry Officer.

10. On the other hand, the workman Shri Ashok Pandurang Purjwar is examined in the case. He has stated a vague assertion that he had not committed any misconduct. He has not specifically denied the evidence of the witnesses who had deposed before the Enquiry

Officer and the depositions of those witnesses are admitted by the workman which proves misconduct. Thus it is established that the workman was guilty of insubordination and is amount to misconduct.

11. Another important point is as to whether the workman Shri A. P. Parajwar threatened the staff frequently and behaved in a disorderly manner and made all attempts to interrupt the rout of maintenance or not.

12. To support the charge, the management again referred the admitted deposition which is marked as Paper Nos. 10/6. The deposition clearly shows that he had threatened the staff and behaved in a disorderly manner. The management has filed a Written complaint of J.T.O. of Pusad dated 10-5-95. This complaint is also admitted by the workman. This complaint shows that he was in a habit to argue without any reason and used unparliamentary language and interrupted the route. Paper No. 10/35 is also admitted. This is also a complaint of Sheo Shanker Nagre. He had complained that the workman threatened him to proceed on leave failing which he would met with accident of death. The documentary evidences which are admitted by the workman show that the said charge is proved. There is no reason to disbelieve these evidences when the workman has admitted himself.

13. Another important point is as to whether the department initiated the process to regularize the workman and the workman cooperated in the said process in compliance of the order of the Court.

14. In order to initiate the process of regularization to the workman, it is stated that the department had taken steps but the workman did not cooperate and did not submit the required certificates only in order to frustrate the compliance of the Court or he had no requisite qualification for the post. To prove this charge, the management has filed documents which are admitted by the workman. The letter dated 3-1-95 (Paper No. 39) is filed to show that Original School Leaving Certificate was demanded by the management. Letter dated 15-5-95 (Paper No. 47) is filed to show that several reminders were given to the workman to deposit the required documents. These letters are admitted by the workman. The management has also filed office order of the Authority (Paper No. 44) to show that it was directed by the authority that in case the workman did not file the requisite documents, the report was also to be given to the Court. This document is also admitted by the workman. These documents show that the workman was not cooperating and was unable to comply the order of the Court.

15. Paper No. 42 & 45 are two letters. These letters are filed to show that the workman had not submitted documents and form for considering the regularization of the workman. Paper No. 46 is the letter of District Engineer, Yavatmal for initiating disciplinary proceedings

for non-compliance of the direction of authority. It is not out of place to say that these three papers appear to have been admitted by the workman because the order dated 1-6-99 speaks that all the departmental enquiry papers of the management have been admitted by the workman but these papers show that "not" is added before "admitted". The practice is that if the party does not admit, he writes denied. The entire aspects show that interpolation is also done in the Court's record. Thus this charge appears to have been proved that department initiated the process for regularization but intentionally the workman did not cooperate to frustrate the direction of the Court.

16. The workman has filed two awards which are Paper No. 3/7 & 3/11. These awards are also admitted by the management. These awards simply show that previously the workman was terminated and the termination orders were set aside on technical grounds. The award further shows that there was an observation that if the management wants to terminate his services, they will have to do so in accordance with the provisions of the Act.

17. On the basis of the discussion made above, I find the charges against the workman are proved and the action of the management in dismissing the service of the workman is legal and justified.

18. Accordingly the award is passed against the workman and in favour of the management without any order of costs.

19. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 14 सितम्बर, 2009

का.आ. 2728.—राष्ट्रपति, डा. मंजू निगम को 03-09-2009 से केन्द्रीय सरकार औद्योगिक न्यायाधिकरण-सह-श्रम न्यायालय, जयपुर को पीठासीन अधिकारी के रूप में 65 वर्ष की आयु पूरी होने अर्थात् 26-08-2014 तक अथवा अगले आदेशों तक, इनमें जो भी पहले हो, नियुक्त करती हैं।

[सं. ए-11016/2/2005-सीएलएस-11]

पी. के. ताम्रकार, अवर सचिव

New Delhi, the 14th September, 2009

S.O. 2728.—The President is pleased to appoint Dr. Manju Nigam as Presiding Officer of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur w.e.f. 03-09-2009 till she attains the age 65 years i.e. upto 26-08-2014 or until further orders, whichever is earlier.

[No. A-11016/2/2005-CLS-II]

P. K. TAMRAKAR, Under Secy.